

JOURNAL

OF THE

CALLED SESSION, 1863.

AND THE

THIRD REGULAR ANNUAL SESSION,

OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF ALABAMA,

Held in the

CITY OF MONTGOMERY,

Commencing on the 17th August, and the Second Monday
in November, 1863.



WITH AN INDEX,

PREPARED BY THE SECRETARY OF STATE.



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JOURNAL

THE STATE OF ALABAMA, }
MONTGOMERY COUNTY, AUGUST 17, 1863. }

BE it remembered, that on the 20th day of July, A. D., 1863, John Gill Shorter, Governor of the State of Alabama, issued his proclamation in the words and figures following, to-wit:

EXECUTIVE DEPARTMENT, }
Montgomery, Ala., July 20th, 1863. }

By virtue of the power vested in the Executive by the Constitution of the State of Alabama, I, John Gill Shorter, Governor of said State, deeming the present an extraordinary occasion, do issue this my proclamation, directing that the two houses of the General Assembly of said State convene in the State Capitol, at Montgomery, on Monday, the seventeenth day of August, A. D., 1863.

In testimony whereof, I, John Gill Shorter, Governor of the State of Alabama, have hereunto set my hand, and caused the Great Seal of the State to be affixed, this, the twentieth day of July, A. D., eighteen hundred and sixty-three, and of the independence of the Confederate States of America, the third year.

JOHN GILL SHORTER.

By the Governor.

P. H. BRITTON, Secretary of State.

Pursuant whereto, on this, the 17th day of August, 1863, the following Representatives elect appeared within the Hall of the House of Representatives, viz:

Autauga—L. Howard.

Barbour—C. W. Jones, W. H. Chambers, C. A. Parker.

Bibb—J. W. Davis.

Blount—R. Ellis, A. M. Gibson.

Butler—W. H. Crenshaw, S. F. Gafford.

Calhoun—W. M. Hames, E. T. Read, D. T. Ryan.

Chambers—J. J. McLemore.

Cherokee—T. B. Cooper, W. A. Vincent, G. W. Howell.

Choctaw—J. S. Evans, J. T. Foster.

Clarke—J. T. Kilpatrick.
 Coffee—John G. Moore.
 Coosa—T. U. T. McCain, E. S. C. Parker, J. Vansandt.
 Dale—Q. L. C. Franklin, H. I. M. Kennon.
 Dallas—N. H. R. Dawson, E. Bell.
 DeKalb—G. S. Malone.
 Fayette—Alexander Cobb, J. Seay.
 Franklin—A. Orr.
 Greene—A. Benners, Wiley Coleman.
 Henry—George W. Williams, L. Parish.
 Jackson—J. W. Young.
 Jefferson—John C. Morrow.
 Lauderdale—A. McAlexander, T. L. Chisolm.
 Limestone—J. W. S. Donnell.
 Lowndes—P. T. Graves, W. S. May.
 Macon—C. J. Bryan, J. C. Head, A. B. Fannin.
 Marengo—W. B. Modawell.
 Marion—M. L. Davis, D. W. Hollis.
 Marshall—John Sibley, A. Beard.
 Mobile—J. T. Taylor, Jacob Magee, Samuel Wolff, C. F.
 Moulton.
 Monroe—S. J. Cumming.
 Montgomery—T. B. Bethea, W. H. Ogbourne.
 Morgan—G. P. Charlton.
 Perry—J. L. Price, J. H. Chapman.
 Pickens—Ben. Atkinson, J. T. Gardner.
 Pike—J. R. Brooks, W. R. Cox, G. W. Carlisle.
 Randolph—M. D. Barron, A. A. West.
 Russell—D. B. Mitchell, F. A. Nisbet.
 St. Clair—G. W. Ashe.
 Shelby—J. Keenan, S. Leeper.
 Sumter—John McInnis.
 Talladega—L. W. Lawler, L. E. Parsons, H. Sims,
 Tallapoosa—R. T. Ashurst, A. A. Dent.
 Tuscaloosa—T. P. Lewis, W. A. Bishop.
 Walker—John Manasco.
 Wilcox—John Moore.

On motion of Mr. Ellis, Mr. Cooper, of Cherokee, was called to the chair for the purpose of organizing the House.

On motion of Mr. Benners, Alexander B. Clitherall, of Montgomery, was appointed clerk, *pro tempore*.

The oaths required by the Constitution and laws were administered to said members by the Hon. A. J. Walker, Chief Justice of the Supreme Court of Alabama.

Mr. Lawler placed in nomination Mr. W. H. Crenshaw, as a candidate for the Speakership; who, having received the whole

number of votes given, was declared by the Chairman to have been duly and constitutionally elected Speaker of the House of Representatives for the present session.

The oath of office was administered to Mr. Speaker by Mr. Cooper, of Cherokee.

The House then proceeded to the election of principal clerk. Albert Elmore, of Montgomery, alone being in nomination, who, having received all the votes given, was declared by Mr. Speaker to have been duly and constitutionally elected, was qualified and entered upon the discharge of his duties.

The House then proceeded to the election of assistant clerk of the House. Alexander B. Clitherall, of Montgomery, alone being in nomination, who, having received the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected, was qualified and entered upon the discharge of his duties.

Mr. Daniel McCrimmon alone being in nomination for engrossing clerk, who, having received the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected.

Mr. M. M. Nall alone being in nomination for door-keeper, who, having received the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected, was qualified and entered upon the discharge of his duties.

Mr. Ellis offered the following resolution, which was adopted.

Resolved, That the Senate be informed that the House of Representatives has been organized by the election of the Hon. W. H. Crenshaw, Speaker; Mr. Albert Elmore as principal clerk; A. B. Clitherall, assistant clerk; Daniel McCrimmon, engrossing clerk; and M. M. Nall, door-keeper, and are now ready to proceed to business.

Mr. Manasco offered the following resolution, which was adopted:

Resolved, That the rules by which this House was governed at its last session, be adopted for its government during the present session.

Mr. Benners offered the following resolution, which was adopted:

Resolved, That the Chair appoint the following standing committees: on Judiciary; Confederate Relations; Ways and Means; Banks and Banking; Internal Improvements; Local Legislation; Corporations; Insane Asylum; Propositions and Grievances; Accounts and Claims; Agriculture; Sixteenth Sections: Retrenchment; Privileges and Elections; Military Affairs; Penitentiary; Roads, Bridges and Ferries; State

Capitol ; County Boundaries ; Enrolled Bills ; State Printing ; Public Lands ; Manufactures ; and Salt Supply.

Mr. Charlton offered the following resolution, which was adopted :

Resolved, That the Speaker appoint a committee of three, to act in conjunction with a like committee appointed by the Senate, to wait on the Governor, and inform him that the two houses of the General Assembly are now organized, and are ready to receive any communication he may have to lay before them.

Messrs. Charlton, Bethea and Taylor, composed said committee.

Message from the Senate by Mr. Morgan :

AUGUST 17TH, 1863.

Mr. Speaker :

The Senate has adopted the following resolution :

Resolved, That the House be informed that the Senate has organized by the election of Hon. R. Jemison, jr., President ; Micah Paul, secretary ; John P. Morgan, assistant secretary ; E. A. Heidt, door-keeper, and are now ready to proceed to business.

The Senate concurs in the resolution of the House, appointing a committee of three to wait on the Governor, and inform him that the two houses of the General Assembly have organized, and are now ready to receive any communication he may have to lay before them. Messrs. Reavis, Clarke and Jackson, are the committee on the part of the Senate.

Mr. H. I. M. Kennon offered the following resolution, which was adopted :

Resolved, That a committee of two be appointed by the House of Representatives, to act in concert with a like committee from the Senate, to wait on the resident Clergymen of the city, and respectfully solicit their services to open the session each morning by prayer.

Messrs. Kennon and Parker, of Barbour, compose said committee.

Mr. Chambers offered the following resolution, which was adopted :

Resolved, The Senate concurring, that the two houses will observe Friday, the 21st instant, as a day of fasting and prayer, in accordance with the recommendation of President Davis ; and that a committee of three be appointed, to act in conjunction with a similar committee on the part of the Senate, in procuring the services of a Minister of the Gospel to conduct re-

religious service on that day in the Hall of the House of Representatives.

Messrs. Chambers, Bethea and Ogbourne, compose said committee.

Mr. Bethea, from the joint committee to wait upon the Governor, reported that the committee had performed its mission, and that the Governor would forthwith communicate his message to the House.

Message from the Governor by Mr. Taylor:

Mr. Speaker:

I am instructed by his Excellency, the Governor, to lay before the House his message to the General Assembly, convened in extraordinary session, with the documents referred to therein.

EXECUTIVE DEPARTMENT,)
MONTGOMERY, ALA., AUGUST 17th, 1863. }

Gentlemen of the Senate and House of Representatives:

Important events, which have recently occurred, vitally affecting the highest interests of the State, have compelled me to convene the General Assembly in an extraordinary session: and, for obvious reasons, this communication will be confined to the subject of military defense: all other topics of legislation being reserved for the annual meeting of the General Assembly.

In view of the superior numbers of the enemy upon every theatre of the war, and to enable our armies, when thus confronted, to be recruited by the scattered forces of the Confederacy, the President wisely determined to call upon the respective States for relative proportions of their reserved militia, to be employed for their own local protection and defense, against raids or sudden invasions by the enemy. In accordance with this plan, the Secretary of War, under date of the 6th of June last, made a requisition upon the State of Alabama for seven thousand militia, to be organized by the 1st instant, to be employed by the President within the limits of the State, for the period of six months. This requisition was accompanied with notice that, in lieu of the militia, volunteer companies would be accepted, if organized under the Act of Congress "to provide for local defense and special service," approved 21st August, 1861. A copy of the communication from the Secretary of War is herewith submitted.

On the 16th day of June, I announced by proclamation the requisition which had been made upon the State by the President, and, to expedite the organization of troops, I ordered a

complete enrollment of the militia, and a draft therefrom, on the 25th day of July, of all who were not exempted from military service by the State or Confederate laws, unless by that day the number required from the respective brigades was raised as volunteers. Before the day appointed for the draft, and on the 15th day of July, the President issued his proclamation calling out all who were liable, under the conscript law of Congress, up to the age of forty-five years. So soon as advised of the issuance of this proclamation by the President, I telegraphed the Secretary of War, to ascertain whether those liable to conscription, between the ages of forty and forty-five years, who had joined volunteer organizations for local defense, could be retained in such organizations; but before the receipt of my telegram, an order had been issued by the War Department discharging all such persons from local organizations, and directing their immediate enrollment under the conscript act. It thus became manifest that, as the conscript law embraced all between eighteen and forty-five years of age—which class alone composed the militia of the State—there were no militia left from which to meet the requisition of the President on the State for seven thousand men for the local defense, except exempts under the State and Confederate laws, and those officers of the militia who were over the age of forty-five years, and those officers and men under that age who had been discharged from the Confederate service.

In the extension of the order for the execution of the draft, directions were given to observe the exemptions enumerated in the military code of the State, and in the Acts of Congress. This course seemed to be demanded by the necessities of both the State and Confederate governments. The officers of the Confederate government employed within the State, and who, by the military code of the State, are exempted from militia duty, could not be forcibly withdrawn from the discharge of their important functions for six months, without manifest detriment to the public service. The same remark is equally true as to those State officers who, by the code, are exempted from military duty. Besides government officers, but few classes of citizens are exempted by the military code of the State, and those on account of their occupations—such as pilots, mariners, ferrymen, millers, employees on railroads and steamboats, and of telegraph and express companies, whose services are indispensable both to the government and the people. The only private citizens exempted by the code, are ministers of the gospel, teachers, and scholars. There being no power conferred on the Governor to add to or take from the list of exemptions, they had to be recognized or disallowed as a

whole, and directions were accordingly given that the exemptions named in the military code of the State should be allowed.

The exemptions from conscription, provided by Congress, were observed for the reason that they were conferred on citizens whose occupations, in the decision of Congress, were essential to enable the Confederate government to carry on the war with efficiency, and with due regard to the necessities of the people of the States. In this light, the exemptions declared may be regarded as pertaining as much to the war policy of the government, as the conscription of troops. The army in the field can be provided for, and sustained, only by the classes at home, who are employed in occupations which furnish equipments and subsistence; neither can be dispensed with while the war continues. Besides, as the exemption by Congress on account of occupation is forfeited by an abandonment of the occupation, in which event the person becomes liable to immediate enrollment as a conscript, it would seem that a forcible withdrawal by the State of the citizen from his occupation, for military service for six months, might not only deprive the government of the benefits expected from the prosecution of his trade, but subject the citizen to the hazard of conscription. In either view of the question, a disregard by the State Executive of the exemption policy of the Confederate government, which is seeking to devote all the combined resources of the States for a successful prosecution of the war, would occasion antagonism between the State and Confederate governments, which might tend to embarrass both, rather than strengthen the military power of either.

While, in the execution of the draft, the exemptions declared by the military code of the State and the Acts of Congress were recognized and respected, those citizens who had been liable to conscription but had received discharges from Confederate service, by reason of substitution, were held amenable to the draft as militia of the State. How many citizens of this class there are in the State, I have no means of ascertaining with any approach to accuracy; but it is generally believed that they number several thousand. Many of them, owing to past services rendered in the Confederate army, and other causes which have induced them to purchase substitutes, have esteemed the requisition made upon them for service in the militia as a hard demand, and are reluctant to respond; while many others not only doubt, but deny the authority of the State to command their services as militia, or to turn them over as such to be employed by the President for the local defense of the State. While fully conceding the hardship of

this obligation, in many instances, the Executive can look only to the law as the guide to his official acts, and firmly tread the path of duty, regardless of the personal convenience of the citizen. The opinions which question the liability of this class of citizens as militia, I am persuaded have sprung from a misapprehension of the constitution and laws of both the State and Confederate governments.

The *militia* is a military organization pertaining to the States. It is the army of the States ; and as an army may be commanded either by the Governors of the States respectively, or by the President of the Confederate States. The States in the exercise of their own sovereignty, give form or body to this army, and, after it is so formed or embodied, Congress may provide the mode of its organization and discipline, the States retaining the right to supply the officers. This is the compact between the States. The Confederate Constitution confers on Congress the power "to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States ; reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress." If the Congress fail to provide for their organization and discipline, the States may organize them, as they have repeatedly done, by their own legislative enactments. But the power to organize and discipline the militia, conferred upon Congress, does not carry with it the power to declare what class of citizens shall constitute and form the body of the militia. Nor has Congress ever claimed the right to exercise such a power. It is one of the sovereign powers reserved to the States. It is, too, a legislative power, and, by the constitution of the State of Alabama, is vested in her General Assembly. The General Assembly alone can determine who shall and who shall not compose an integral part of the body of the militia of the State. Whether a citizen is or is not liable to militia duty within the limits of the State of Alabama is, therefore, a question to be decided by the law of the State, and the State law is too plain for misconstruction. The military code of the State declares that "the militia of the State of Alabama shall consist of each and every free able-bodied white male citizen resident therein, who is or shall be of the age of eighteen years and under the age of forty-five years, except those hereinafter enumerated," &c. What classes are enumerated as exempts it is needless here to repeat, but it is important to note and state, that those who may have received a release or discharge from Confederate service are not among the num

ber enumerated as exempt. All citizens of the State, therefore, between the ages specified, who have not been withdrawn or are not claimed by a paramount law of Congress, or exempted from military service, are liable under the State law to militia duty. And it thus follows that those who have placed substitutes in the Confederate army under the conscript law of Congress, and have obtained for themselves a discharge under that law, are remitted to their original position, rights and duties as citizens of the State, and while they claim its benefit and protection, they owe to it the reciprocal duty of military service, when called out as militia for its defense.

But it is said that, conceding the liability of this class of citizens to militia duty, when called for by the Governor of Alabama, they cannot be turned over to the President for Confederate service within the limits of the State. This objection is easily answered. The constitution of the Confederate States, in the 8th section of the first article, and 12th paragraph, confers on Congress the power "To raise and support armies," and in the 15th paragraph confers the power "To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrection and repel invasions." Under these two separate and distinct grants of power, the Provisional Congress, in the first section of the "Act to provide for the public defense," approved 6th of March, 1861, enacted "That in order to provide speedily forces to repel invasion, maintain the rightful possession of the Confederate States of America in every portion of territory belonging to each State, and to secure the public tranquility and independence against threatened assault, the President be and he is hereby authorized to employ the militia, the military and naval forces of the Confederate States," &c. The second section of the Act provides that "The militia, when called into service by virtue of this Act or any other Act, if, in the opinion of the President, the public interest requires, may be compelled to serve for a term not exceeding six months after they shall be mustered into service, unless sooner discharged." Under this law of Congress, the President has made the requisition on the State of Alabama for seven thousand militia, for six months service, to repel an invasion of the State. It will thus be seen that the President has the power to employ the militia of Alabama for the time and for the purpose specified in the call made by him on the State.

Under the power "to raise and support armies" Congress passed the conscript law, which applied to all residents in the Confederate States who fell within its provisions, and it took

away all those citizens embraced in it who were, by the State law, embodied in the militia. But when the claim of the Confederate government has been met by substitution, and the citizen, who has been temporarily withdrawn from the militia, is released and discharged, he is restored to his original status in the militia, and as such militiaman is as much liable to service on the call of the President for the militia, under the law of Congress, as he is liable to service on the order of the Governor under the law of the State.

Owing to the remoteness of many of the militia officers from the Capitol, the number of vacancies in the regimental and company organizations, and the apparent want of familiarity with the military code, and the true import of military orders, in connection with the irregularities and delays of mail communication, but few meagre returns, in response to the orders for the enrollment and draft, have reached the office of the Adjutant General. It is not yet known how many have volunteered, nor the number who have been drafted. Sufficient information, however, has been received to show that a very small proportion of the number called for by the President are ready to respond. How the remainder shall be raised is a question submitted for your determination, though it is difficult to conceive how it can be done except by a re-organization and enlargement of the militia of the State.

In my message to the extra session of the General Assembly, convened in October last, I called their attention to the disorganized condition of the militia, and urged additional legislation, to give strength and efficiency to the military power of the State. In that communication I stated that—

“By the military code of the State it is provided that the militia of the State of Alabama shall consist of each and every free able-bodied white male citizen resident therein, who is or shall be of the age of eighteen years, and under the age of forty-five years.’ The Conscript Act, of sixteenth of April, calls for all of this class below the age of thirty-five years, and the recent extension of the Act embraces all the remainder above that age. Thus, the whole body of the State militia is absorbed, and we are left with a naked organization merely, and with militia officers without men to command. Emergencies may occur which will require the active service in the field of every man in the State capable of bearing arms. There are a number within the State who have furnished substitutes in the Confederate army. This does not relieve them from their obligation to render military service to the State. There may be others who have been omitted by the enrolling officers of the Confederate States, or who have evaded the just re-

quirements of that government. Persons of foreign birth, domiciled within the State, who have been protected by its laws in their persons and property, who have amassed wealth and made investments in real and personal estate, or who have participated in elections for the administration of State and municipal affairs, are, by the laws of nations, amenable to military service for the local defense. All these may be embraced in the State militia. I therefore submit that a reorganization of the militia of the State is indispensable, and I recommend that the military code be so amended as to embrace, as militia, all able-bodied male citizens of the State above the age of sixteen and under the age of sixty years, who may may not be actually engaged in the Confederate service. I commend also to your consideration, the propriety of encouraging the formation of volunteer companies, both of infantry and cavalry, and such additional legislation as, in your wisdom, may be deemed best calculated to strengthen the military arm of the State."

The General Assembly, neither during the extra nor the succeeding regular session, matured any plan for the improvement of the militia, or to increase the military power of the Governor. The present condition of the State, daily exposed in apparent helplessness for the want of an efficient military organization for its own protection, only confirms me in the conviction entertained as to the propriety of the recommendations heretofore submitted, and I now again renew them, and respectfully urge them upon your consideration.

By the constitution of the State, the Governor is made the commander-in-chief of the militia, and is vested with "power to call forth the militia to execute the laws of the State, to suppress insurrections and repel invasions." How can he enforce the laws of the State, if resisted, or repress insurrections, or repel invasions, without an organized force? By the military code, the exempts, few in number and scattered over the entire State, are absolutely relieved of all military duty "except in cases of imminent danger, insurrection, or invasion." The Governor has no power to command even these persons for the purpose of enforcing the laws of the State; and if citizens who have been discharged from Confederate service are adjudged not liable to militia duty, then there is no class of citizens or military force at the command of the Governor for this purpose. But if both these classes are made liable to militia duty, their number is wholly inadequate to the necessities of the State. Besides a want of men in the ranks, there is as great a want of efficient officers to command the men. The General Assembly, at its last session, by joint resolution, declared the officers of the militia liable to enrollment as con-

scripts, if within the conscript age and not otherwise exempted. The withdrawal of these officers for service in the Confederate army has occasioned so many vacancies, that it has been found impossible, in many instances, to secure the execution of the simplest military order, or to even extend it to the proper person. In view, therefore, of the utter inefficiency of the militia, and the absolute necessity for its immediate reorganization, not only for the protection of the State against internal violence and disturbance, but against the threatened invasions and depredations of an unscrupulous and savage foe, I invoke the wisdom and unfaltering patriotism of the General Assembly to combine the remaining military power of the State, and devote it to the great and paramount object of the public defense.

The enumeration which embraced in the militia those between the ages of eighteen and forty-five years, was adopted for convenience of classification, and because such a classification was deemed fully adequate to all the probable demands of the State. But the obligation to render military service is as binding upon the citizen who claims the protection of the State, as is the obligation to contribute of his means for its defense. The State has a right to command both. All that the citizen can ask, in any event, is, that the burden shall be distributed upon a basis of equality and justice. The present emergency demands the services of every man in the State who is able to bear arms. The fact of age does not decide the question of physical ability. Able-bodied men are needed, and such as these should be combined in the militia, irrespective of age; and if physically disabled or incapacitated for service, should be omitted, irrespective of age. This is a just rule, and if justly applied will meet the approval of every right minded man. And if every man in the State of Alabama, capable of bearing arms, and who is not now enlisted in the public defense, was embodied in military organizations, duly organized and officered, the State would present an insuperable barrier against incursions and raids, which under other circumstances may bring destruction and ruin to the homes of thousands of her people.

In providing a plan of reorganization, such public officers and classes of citizens as, in the opinion of the General Assembly, should be relieved of full duty or more enlarged service, might be specially exempted on condition that they unite in volunteer organizations for the local defense. And this rule might also with propriety be applied to those classes within the State, other than officers of the Confederate government, who are exempted from Confederate service under the laws of

Congress. Many of these are accumulating wealth by the employments in which they are engaged, and while devoting their energies to their daily pursuits, are hourly dependent upon the State for their security and protection. Surely if not compatible with the public interest to remove them for months from their accustomed employments, they can be embodied for the defense of their own locality. The exemption conferred by Congress does not withdraw them absolutely from the militia, and if, in the opinion of the General Assembly, their refusal to join volunteer organizations for the purpose of local defense—a matter in which they are personally and vitally interested—would justify the course, they can and should be enrolled and compelled to service in the body of the militia.

The limitation in the code which embraces citizens of the State only, should be removed, and every resident of the State who is protected by its laws in his business pursuits and property, should be likewise enrolled for the defense of the State.

It is my duty to call the attention of the General Assembly to the offense of straggling and desertion from the army. While their gallant comrades are confronting the enemy, and standing as a wall of defiance against his further advances there are those whose love of ease, or weak resolution, or infidelity to the cause, has induced them to shrink back, and hide away, in order to avoid the service which they owe to their country. These men should be taught, by public opinion and solemn legislative declaration, the heinousness of their offense, and the severe condemnation which such conduct deserves. The President of the Confederate States has recently proclaimed a full and free pardon to all such absentees from the army, on condition of a speedy return to their posts; and it will be well if the General Assembly add their potential sanction and influence to secure a ready and universal compliance with this humane offer by the Commander-in-Chief. The home population should be admonished to encourage, in every possible way, an acceptance of the pardon and a prompt return of the soldier; and those, if any there be, whose misguided sympathies and disloyal purposes induce them to encourage disobedience to military law, and to harbor and maintain deserters, should, by State enactment, be subjected to criminal prosecution and exemplary punishment. Executive as well as military officers of the State, should be charged with the duty of promptly arresting and reporting stragglers and deserters, while the judicial officers should be charged with a rigid enforcement of the penalties against their aiders and abettors.

The painful duty is devolved upon me to announce the un-

timely decease of the Hon. William L. Yancey, late a Senator from the State of Alabama, in the Congress of the Confederate States. This distinguished orator and statesman was for many years identified with every important though fruitless effort to check the aggressions of the United States government upon the reserved rights of the States; and he was a leading member of the State Convention which, in the exercise of its sovereign power, withdrew the State of Alabama from the old Union. He has been cut down in the full strength of his great intellect, and his proud spirit has departed before his eyes were permitted to behold the final success and grandeur of that new Confederacy which he so ardently desired to see, and for which he had struggled with masterly energy and idolatrous devotion. The vacancy in the State representation in the Confederate Senate, occasioned by his death, remains to be filled by the General Assembly.

The present condition of the State presents a subject of momentous concern, and all the wisdom, energy and patriotic zeal of the General Assembly, are invoked to secure its protection against the horrors and desolations of war, with which it is now most seriously threatened. Since the last session, much has been accomplished by the construction of fortifications and other defensive works, but much yet remains to be done, and no means at command should be withheld or neglected, which time and opportunity offer, to ensure successful results. It has not only been my duty, but my earnest desire, to co-operate with the Confederate authorities in every purpose and undertaking looking to this end, and whether men or material resources have been called for, in aid of the common cause, Alabama has ever cheerfully and promptly responded to the uttermost of every demand which has been made upon her; and I trust and believe that her patriotic people will not fail thus to respond, so long as our unnatural foe shall persevere in his unholy crusade for the overthrow and ruin of these Confederate States. In the vicissitudes of war, disasters have befallen our armies, and the enemy, flushed with recent successes, is actively preparing and confidently boasting his purpose and ability to achieve other and greater triumphs. Alabama will be invaded, and, in all probability, before many weeks the guns of the enemy will be heard upon her borders, and her people be summoned for the defense of their own sacred homes. Instead of alarm and trepidation, or of false security and infidelity to their country, let them nerve their resolution for an undying resistance against that abolition despotism which has decreed the emancipation of slaves, the confiscation of lands, and the subjugation of the free inhabitants of these sovereign States

and their heirs forever. God in His just providence will not permit such an awful calamity to come upon us, if, in His fear, and humbly invoking His divine favor, we gather the resources He has placed at our command, and unreservedly consecrate them to the defense of our bleeding country.

JNO. GILL SHORTER.

The message was read, and on motion of Mr. Manasco, was laid on the table, and 3000 copies thereof ordered to be printed for the use of the House.

When, on motion of Mr. Parsons, the House adjourned till 9 o'clock to-morrow morning.

AUGUST 18th, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Baldwin.

The Journal of yesterday was read and approved.

Messrs. Wolff, White, and Holly, appeared within the Hall of the House, were qualified and took their seats.

Mr. McCrimmon, Engrossing Clerk, appeared and was qualified.

Mr. Benners moved to reconsider the vote, adopting the resolution to appoint Standing Committees, so far as referred to State Bank and Branches and Public Defense.

A division was called for. The House refused to reconsider the vote on State Bank and Branches, and reconsidered its vote on Public Defense; when, upon motion of Mr. Benners, said Committee was dispensed with.

CALL OF THE COUNTIES.

Mr. Williams laid upon the Clerk's desk a record of divorce, which was referred to the judiciary committee.

Mr. Price offered the following resolution which was adopted.

Resolved, That no private or local bills will be considered by the House at this session.

Mr. Parsons offered the following resolutions:

Be it Resolved by the Senate and House of Representatives of the State of Alabama, in General Assembly convened, That our confidence in the patriotism and ability of President Davis is unabated; and that, the vicissitudes of war and the reverse of battle cannot shake it; and we hereby tender to him our hearty thanks for his good labors in the cause of our common country, together with the assurance of our continued candid support, to the extent of our resources. May God prolong his life and give him strength to meet the demands of the present and future.

2. *Be it further Resolved*, That in the judgment of this Legislature, it is the duty of Congress to increase the pay of our gallant soldiers (especially of the privates and non-commissioned officers) so that they may be able to provide for the wants of their wives and children; and our Senators are instructed and our Representatives are requested to use their utmost endeavors to secure this result at the earliest day possible.

3. *Be it further Resolved*, That the Governor of this State communicate a copy of these Resolutions to his Excellency, Jefferson Davis, President of the Confederate States, and to each of our Senators and Representatives in Congress.

Mr. Benners moved to refer the above resolutions to the committee on Confederate Relations. Which motion was lost.

Mr. Chambers moved to amend the second resolution as follows :

Resolved, That in the opinion of this General Assembly, the pay allowed to private soldiers and non-commissioned officers in the army of the Confederate States, is insufficient; and we therefore instruct our Senators and request our Representatives in Congress to procure, if possible, the passage of a law to increase the pay of those classes of our soldiers.

Mr. Modawell moved to amend the amendment as follows :

Resolved, That in the judgment of this Legislature, the pay of the private soldier should be increased to \$18 per month, and the pay of non-commissioned officers in proportion, which motion was lost.

The amendment of Mr. Chambers was adopted.

The question being upon the adoption of the resolutions of Mr. Parsons as amended, the same were adopted.

Message from the Senate.

Senate, August 18, 1863.

Mr. Speaker :

The Senate has originated and passed joint resolutions in relation to Generals Holmes and Pemberton, and reiterating the unfaltering purpose of the State, never to be subjugated by the Lincoln government.

The Senate concurs in the resolution of the House, appointing a committee of two from each House, to wait upon the clergymen of the city, and solicit their services to open the session each morning with prayer. Messrs. Groce and Coleman are the Committee' on the part of the Senate.

The joint resolutions referred to in the above Senate message, was read and referred to a select committee of one from each Congressional District, composed of Messrs. Lawler, Don-

nell, Gibson, Cooper, Benners, Bell, McLemore, Jones and Taylor.

Mr. Parsons offered the following resolutions.

Resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened. That in the judgment of this Legislature, all of our Confederate treasury notes should be placed on the same footing; and that Congress should provide by law for funding all the notes which have been heretofore issued, or which may hereafter be issued by its authority, at a uniform rate of interest; and our Senators are hereby instructed and our Representatives are requested to urge the repeal of all laws creating a distinction in said currency, either as to the rate of interest or the right to fund it.

Which was referred to a select committee of one from each Congressional District.

Mr. Manasco offered the following resolution which was adopted:

Resolved, That Reporters of the several newspapers of this city be admitted within the bar of this House.

Mr. Sims offered the following resolution, which was adopted:

Resolved, That with the concurrence of the Senate, the committee on the military of the two Houses, act as a joint committee on military affairs, with leave to sit during the sessions of their respective houses; and that the result of their deliberations be simultaneously reported to the House and Senate.

The Chair announced the following Standing Committees:

On Military Affairs.—Messrs. Benners, Bethea, Chambers, Parsons Taylor, Dawson, Hames, Gibson, Young.

On Judiciary.—Messrs. Parsons, Benners, Taylor, Cooper, Dawson, Clarke, Cumming, Chapman, McAlexander.

On Confederate Relations.—Messrs. Bethea, Chambers, Reid, Moulton, Williams, Brooks, Bell, Clarke, Young.

On Ways and Means.—Messrs. Lawler, Benners, Bethea, Price, Jones, Bradley, Cooper, Magee, Gardner.

On Internal Improvements.—Messrs. Cooper, Price, Fannin, Donnell, Charlton, Keenan, Sims, Ellis, Howard.

On Banks and Banking.—Messrs. Bradley, Lawler, Wolff, Coleman, Price, Bethea, Dent, Nisbet, Chapman.

On Education.—Messrs. Chambers, Foster, Ogbourne, Ashurst, Donnell, Morrow, Reid, Seruggs, John G. Moore.

On University.—Messrs. Foster, Ogbourne, Ashurst, Coleman, Morrow, Bryan, Kilpatrick, McAlexander, Lewis.

On Sixteenth Section.—Messrs. Sykes, Moulton, Jones, Bell, McLemore, Graves, Brooks, Cobb, Ellis.

On Public Lands.—Messrs. Gibson, Modawell, Evans, Sims, Greathouse, Ryan, Manasco, Leeper, Vanzandt.

On Manufactures.—Messrs. Fannin, Keenan, Howard, Orr, Vanzandt, C. A. Parker, J. W. Davis, Mitchell, Atkinson.

On Local Legislation.—Messrs. Modawell, Leeper, Kilpatrick, Beard, Head, Oates, Towles, White, Franklin.

On Corporations.—Messrs. Taylor, Cumming, Sykes, May, Bishop, Chisholm, Gardner, Seay, M. L. Davis.

On Insane Asylum.—Messrs. Wolff, Evans, E. S. C. Parker, Ellis, Kennon, Bishop, Malone, Greene, Cox.

On State Bank and Branches.—Messrs. Jones, Evans, Carlile, McInnis, Wolff, Leeper, Beard, Chisholm, Head.

On Enrolled Bills.—Chapman, Morrow, John G. Moore, Cobb, C. A. Parker, Nisbet, Hames, Bryan, Greathouse.

On State Printing.—Messrs. Hames, McLemore, Lewis, Ashurst, Gibson, Young, Hollis, Parish, Cox.

On Salt Supply.—Messrs. Reid, Moulton, Kilpatrick Fannin, Scruggs, Graves, Donnell, Carlile, Kennon.

On Propositions and Grievances.—Messrs. C. A. Parker, Hollis, Brown, Vincent, McInnis, Holley, Barron, G. W. Ashe, Parish.

On Accounts and Claims.—Messrs. Manasco, Howell, Bryers, Brandan, McLelland, Robeson, Sivley, Edwards, Gafford.

On Agriculture.—Messrs. J. W. Davis, Armstrong, John Moore, Sivley, Towles, Franklin, Cox, Parish, Dent.

On Retrenchments.—Messrs. Williams, White, Holley, Edwards, Brown, Vincent, John Moore, Bryers, Armstrong.

On Privileges and Elections.—Messrs. Coleman, Atkinson, M. L. Davis, Magee, Head, Charlton, Beard, Seay, Brooks.

On Penitentiary.—Messrs. McCain, McInnis, Ryan, Hollis, Dent, Brandan, Oates, West, Malone.

On Roads, Bridges and Ferries.—Messrs. Cobb, McLelland, Robeson, May, Howell, Gardner, G. W. Ashe, Barron, Greene.

On State Capitol.—Messrs. Ogbourne, E. S. C. Parker, Orr, Gafford, West, J. S. Ashe, Greathouse, Mitchell, Chisholm.

On County Boundaries.—Williams, Scruggs, Nisbet, Bryan, Kennon, Lewis, Bell, McLemore, J. S. Ashe.

The following bills was introduced :

By Mr. Read, in relation to working on public roads.

By Mr. Modawell, to amend the revenue laws of this State.

By Mr. Moore, of Wilcox, to amend the revenue laws of this State.

By Mr. Moulton, to increase the fee of certain judicial and executive officers therein named.

By Mr. Dawson, for the relief of the Gas Light Company of Selma and other gas companies.

All of which bills were severally read and ordered to a second reading.

Mr. Parsons offered the following resolution, which was adopted.

Resolved, That the committee of ways and means, are hereby instructed to report a bill, amending the revenue laws of this State, so as to levy a tax of _____ per cent upon all profits arising on the sale of sterling exchange by any corporation or private persons within this State.

When on motion of Mr. Coleman, the House adjourned until 9½ o'clock, to-morrow morning.

AUGUST 19, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor.

Messrs. Sykes, Scruggs and McClellan appeared within the hall of the House, were qualified, and took their seats.

CALL OF THE COUNTIES.

Mr. Williams presented a record of divorce, which was referred to the judiciary committee.

Mr. Ashurst introduced a bill to require persons to pay taxes in the county where the property is located in certain cases.

Mr. McInnis, a bill to increase the fees of certain public officers.

Mr. Franklin, a bill to increase the price of certain public lands belonging to the State of Alabama.

Mr. Vansandt, a bill to repeal an act to regulate the sale and exportation of corn, approved December 8, 1862.

Which bills were severally read and ordered to a second reading.

Mr. Lawler introduced a bill to contribute to the support of the families of soldiers in the military service from the State of Alabama.

Mr. Manasco, a bill, to repeal the laws in relation to the distillation of grain in Alabama.

Mr. Lewis, a bill to repeal sections one and two of an act to prevent extortion.

Which bills were severally read the first time, and under a suspension of the constitutional rule, a second time, and referred respectively to the committees on ways and means, propositions and grievances, and judiciary.

ORDERS OF THE DAY.

The bill for the relief of the gas light company of Selma, and other gas companies, was read a second time and ordered to be engrossed.

The bill in relation to working on public roads was read a

second time, and referred to the committee on roads, bridges and ferries.

The two bills to amend the revenue laws of the State were severally read a second time, and referred to the committee on ways and means.

The bill to increase the fees of certain judicial and executive officers therein named, was read a second time and referred to the judiciary committee.

Message from the Senate.

Senate, August 19.

Mr. Speaker :

The Senate concurs in the resolution of the House, proposing that the committee on the military of the two Houses act as a joint committee, &c.

And also concurs in the resolution of the House, to observe Friday, the 21st instant, as a day of fasting and prayer, &c. Messrs. Hill, Rice of Montgomery, and Harrison, compose the committee on the part of the Senate.

The Senate concurs in the resolution of the House to solicit the services of the clergymen of this city to open the session each day with prayer. Messrs. Groce and Coleman, compose the Senate committee.

Mr. Lawler offered the following resolutions, which were adopted.

Resolved, That His Excellency, the Governor, be requested to communicate to the House, what amount of the Bonds of the State have been sold since the adjournment of the General Assembly in December last, what rate of premium was obtained for the same, and whether the condition of the Treasury will require any further sales to be made to meet past appropriations.

Also, what amount of change bills have been issued and put into circulation by authority of an act passed at the last session of the General Assembly.

Also, what action has been taken by the Executive, under an act making an appropriation of \$250,000, to encourage the manufacture of fire arms; what advances have been made, to whom, at what time, and whether in bonds or money, and how many arms have been delivered to the State up to this time, and the prospect for further delivery.

Also, how much salt has been manufactured by the State since the 1st day of January last; what disposition has been made of it, and the prospect for procuring a supply for the families of soldiers, in due time to save the pork to be slaughtered during the coming season; also, what quantity of salt

has been delivered to the State by John P. Figh & Co., since the 1st January last.

Mr. Foster moved to reconsider the vote on the resolution that no local legislation should be done at this session; which motion was lost.

Mr. Ogbourne offered the following resolution, which was adopted:

Resolved, That, with the concurrence of the Senate, the two houses will assemble in the hall of the House on Wednesday, the 26th inst., at 12 o'clock, M., to elect a Confederate States Senator, to fill the vacancy occasioned by the death of the Hon. William L. Yancey.

Message from the Senate:

Senate, August 19, 1863.

Mr. Speaker:

The Senate has adopted a resolution to go into the election of Confederate States Senator on the 26th instant, to fill the vacancy occasioned by the death of the Hon. W. L. Yancey.

Which resolution, on motion of Mr. Parsons, was tabled, and the House resolution on the same subject re-considered, and both resolutions were referred to the judiciary committee.

Mr. Bryan offered the following resolution, which was adopted:

WHEREAS, the financial credit of the Confederacy involves, to a very great extent, the question of its ability to resist the attempts of the abolition government to subjugate it; and whereas, certain evil disposed persons have attempted to destroy and render unavailable that credit by refusing to receive Confederate money in payment of debts;

Therefore, be it resolved, That it be referred to the committee on judiciary to enquire into the expediency of reporting a bill more effectually to prevent the injury threatened from the repudiation of, and refusal of any person in this State to receive Confederate money in payment of debts.

When, on motion of Mr. Holley, the House adjourned until 9½ o'clock to-morrow morning.

AUGUST 20TH, 1863.

House met pursuant to adjournment.

Prayer by the Rev. J. C. Davis.

Messrs. Brown, Robeson and Clarke, appeared within the hall of the House, were qualified, and took their seats.

Bills were introduced—

By Mr. Vansandt, to amend an act to regulate judicial proceedings, approved December 10, 1861.

Which was read twice, under suspension of the constitutional rule, and referred to the judiciary committee.

By Mr. Cobb, to repeal an act authorizing the commissioners' court of Fayette and Morgan counties to levy a tax on dogs.

Which was read three times, under a suspension of the constitutional rule, and laid on the table.

By Mr. Modawell, to amend section 2, chapter 11, of the military code of Alabama.

Which was read twice, under a suspension of the constitutional rule, and referred to the military committee.

By Mr. Leeper, to amend section 1803 of the Code.

Which was read twice, under a suspension of the constitutional rule, and referred to the judiciary committee.

By Mr. McInnis, to raise revenue from the distillation of fruit.

Which was read twice, under a suspension of the constitutional rule; when, on motion of Mr. Davis, of Marion, the bill was laid on the table.

By Mr. Parsons, to amend section 1934 of the Code.

Which was read twice, under a suspension of the constitutional rule, and referred to the judiciary committee.

By Mr. Lewis, to increase the fees of jailors for victualling prisoners.

Which was read three times, under a suspension of the constitutional rule, and passed.

Senate bill, to authorize circuit judges to hold special terms of their circuits in certain cases, was read and ordered to a second reading.

Senate bill, to repeal in part an act to authorize the commissioners' courts of the counties of Fayette and Morgan to levy a tax on dogs, was read twice under a suspension of the constitutional rule, when, on motion of Mr. Cobb, it was amended by striking out "so far as relates to Fayette county." The bill was read a third time, under a further suspension of the rule, and passed.

Senate bill, to amend section 1748 of the Code so far as relates to Bibb county, was read, and, on motion of Mr. Coleman, laid on the table.

Mr. Chambers, from the select committee, reported that the Rev. Mr. Tichenor, of the first Baptist church in this city, would preach in the hall of the House, to-morrow at 10½ o'clock.

Mr. Lawler, from the select committee, reported a substitute for the Senate joint resolutions in relation to Generals Pemberton and Holmes, &c.

Mr. Cobb moved to amend the substitute, by inserting after the words "encourage enlistment," the words "personal enlistment being the most effectual way of recruiting our army." Which amendment was adopted.

On motion of **Mr. Fannin**, said amendment was reconsidered and lost.

Mr. Price moved to incorporate the preamble and first Senate resolution upon the report of the committee.

Which motion was lost—yeas 5, nays 77.

Those who voted in the affirmative are, Messrs. **Evans, Foster, McLanis, Ogbourne and Price—5.**

Those who voted in the negative are, Messrs. **Speaker, G. W. Ashe, Ashurst, Atkinson, Bell, Benners, Bethea, Brooks, Bryan, Bryars, Chambers, Chapman, Carlile, Charlton, Cooper, Cobb, Coleman, Cox, Cumming, Chisolm, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Fannin, Franklin, Gafford, Gardner, Graves, Gibson, Hames, Head, Hollis, Holley, Howard, Howell, Jones, Jno. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Lewis, Magee, Manasco, May, Mitchell, Modawell, John Moore, Jno. G. Moore, Morrow, Moulton, McAlexander, McCain, McLelland, McLemore, Malone, Nisbet, Orr, C. A. Parker, E. S. C. Parker, Parish, Read, Ryan, Robeson, Scruggs, Seay, Sims, Sibley, Taylor, Vansandt, West, Williams and Wolff—77.**

The substitute was then adopted—yeas 82, nays 5.

Those who voted in the affirmative are, Messrs. **Speaker, G. W. Ashe, Ashurst, Atkinson, Barron, Beard, Bell, Benners, Bethea, Bishop, Brooks, Bryan, Chambers, Chapman, Cartisle, Charlton, Cooper, Cobb, Coleman, Cox, Chisolm, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Evans, Fannin, Franklin, Foster, Gafford, Gardner, Graves, Gibson, Hames, Head, Hollis, Howard, Howell, Jones, J. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Lewis, Magee, Manasco, May, Mitchell, Modawell, J. Moore, Jno. G. Moore, Morrow, Moulton, McCain, McLelland, McLemore, Malone, Nisbet, Orr, C. A. Parker, E. S. C. Parker, Parish, Price, Read, Ryan, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vansandt, Vincent, West, Williams and Wolff—82.**

Those who voted in the negative are, Messrs. **Cumming, Holley, McAlexander, Ogbourne and Young—5.**

Mr. Cumming offered the following amendment:

"And by all able-bodied men themselves enlisting in the army."

The Chair decided the same in substance to have been voted down in the amendment of **Mr. Cobb**, from which decision

Mr. Cumming appealed. The question being stated, the House sustained the decision of the Chair.

The substitute was then passed—yeas 85, nays 0.

Those who voted in the affirmative are, Messrs. Speaker, G. W. Ashe, Ashurst, Atkinson, Barron, Beard, Bell, Benners, Bethea, Bishop, Brooks, Bryan, Bryers, Chambers, Chapman, Carlisle, Charlton, Cooper, Cobb, Coleman, Cox, Cumming, Chisolm, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Evans, Fannin, Franklin, Foster, Gardner, Graves, Gibson, Greene, Hames, Head, Hollis, Howard, Howell, Jones, J. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Manasco, May, Mitchell, Modawell, Jno. Moore, J. G. Moore, Morrow, Moulton, McAlexander, McCain, McInnis, McLemore, McLeland, Malone, Nisbet, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parish, Price, Read, Ryan, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vansandt, Vincent, West, Williams and Wolff.
—85.

ORDERS OF THE DAY.

Engrossed bill for the relief of the Gas Light company of Selma was read a third time and passed.

Bills—To require persons to pay tax in the county where the property is located in certain cases ;

To repeal an act to regulate the sale and exportation of corn;

Were read a second time, and referred to the committee on ways and means.

Bill to increase the fees of certain public officers, was read a second time, and referred to the judiciary committee.

Bill to increase the price of certain public lands, was read a second time, and referred to the committee on public lands.

Mr. J. W. Davis introduced a bill to amend section 1748 of the Code so far as relates to Bibb, Randolph, and Shelby counties.

Which was read twice, under a suspension of the constitutional rule, and referred to the committee on local legislation.

Mr. Ogbourne introduced a bill to repeal so much of the 19th clause of the 2d section of the act to amend the revenue laws as relates to auction sales.

Which was read twice, under a suspension of the constitutional rule, and referred to the committee on ways and means.

Mr. McInnis introduced a bill to increase the public revenue.

Which was read twice, under a suspension of the constitutional rule, and referred to the judiciary committee.

Mr. Manasco offered the following resolution, which was adopted.

Resolved, That the Governor be requested to communicate to the House what amount of the appropriation to purchase cotton cards has been expended; what number of pairs of cards have been purchased; how distributed, and what the prospect for a future supply.

Mr. Dawson offered the following resolution:

Resolved, That, the Senate concurring, the two houses will meet in the hall of the House, at 12 M. on Tuesday, 25th instant, for the purpose of electing a Chancellor for the middle chancery division.

Which was referred to the judiciary committee.

Mr. Ashurst introduced joint resolutions upon the subject of enrollment, and placing in the service of the Confederate States 100,000 male slaves.

Which were read and referred to the committee on Confederate Relations.

Mr. Price offered the following resolution, which was adopted:

Resolved, That the committee on the military inquire into the propriety of making it the duty, under severe penalties, of all magistrates, sheriffs, and constables within this State, to ascertain and report to the nearest Confederate and enrolling officer, all persons, whether stragglers, deserters or exempts, who may be found in their respective jurisdictions and appear from their age to be liable to conscription.

Mr. Dawson offered the following resolution, which was adopted:

Resolved, That the committee on Confederate Relations be requested to report upon the expediency of placing in the military service of the Confederate States, negroes to serve as teamsters and cooks.

Mr. Jones offered the following resolution, which was adopted:

Resolved, That the military committee be requested to report on the propriety of placing the Cadets of the University of Alabama of conscript age in the service of the Confederate States.

Mr. Moulton offered the following resolution, which was adopted.

Resolved, That the newspaper reporters throughout the State be admitted to seats within the bar of the House for the purpose of reporting its proceedings.

Leave of absence was granted to Mr. Coleman for five days.

When, on motion of Mr. Cobb, the House adjourned until 9½ o'clock, Saturday morning.

SATURDAY, AUGUST 22, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bell, of the House.

Bills were introduced—

By Mr. Cooper, to prevent the distillation of molasses and sugar.

Which was read three times forthwith and passed.

By Mr. Bryan, a petition of J. M. Vason and others upon local defense.

Which was referred to the military committee.

By Mr. Cooper, for the relief of certain government contractors.

By Mr. Vansandt, to protect the bonds and treasury notes of the Confederate States.

By Mr. M. L. Davis, to amend section 1023 of the Code.

By Mr. Magee, to prevent the depreciation of treasury notes issued by the authority of the Confederate States.

Also, to prohibit in this State the circulation of United States treasury notes and bonds.

Which bills were severally read twice, under a suspension of the constitutional rule, and referred to the judiciary committee.

By Mr. Cooper, to amend an act to prevent extortion, approved December 9, 1862.

By Mr. Modawell, to amend the revenue laws of this State.

Which bills were read twice, under a suspension of the constitutional rule, and referred to the military committee.

By Mr. Manasco, to fix the pay of members and officers of the General Assembly.

Which was read twice, under a suspension of the constitutional rule, and referred to the judiciary committee.

REPORTS FROM COMMITTEES.

Mr. Cumming, from the judiciary committee, upon the resolution to bring on the Senatorial election, reported that this General Assembly has the right to fill the vacancy occasioned by the death of the Hon. W. L. Yancey.

Mr. Jones moved to amend the resolution by striking out Saturday, and inserting Thursday.

Which motion was lost, and the resolution of the Senate was adopted.

Mr. Chapman, from the same committee, reported favorably on the resolution to bring on the election of Chancellor for the middle division, on Saturday, 22d instant, at 12 o'clock.

Which resolution was adopted.

Mr. Chapman, from the same committee, reported bills to divorce Moses Jones from his wife Sarah Ann Jones; and to divorce Lemons Box from his wife Rutha Box.

Which bills were severally read three times forthwith and passed.

Mr. Lawler, from the committee on ways and means, reported favorably, with an amendment, to the bill to contribute to the support of indigent families of soldiers in the military service from the State of Alabama.

Which amendment was adopted.

The bill was then ordered to a third reading, which, on motion of Mr. C. A. Parker, was reconsidered.

Mr. C. A. Parker moved to add "the month of December;" which was carried.

Mr. Manasco moved to amend as follows:

"Section 4. And be it further enacted, That all the provisions of this act be extended to the indigent wives, widows, and children, of all men who have entered the army of the Confederate States as substitutes."

Mr. Ellis moved to amend the amendment as follows:

"Who have entered the service for a compensation of less than \$1500, and whose families are in indigent circumstances."

Which was lost—yeas 17, nays 66.

Those who voted in the affirmative, are Messrs. Beard, Bell, Bishop, Chambers, Cooper, Cumming, Ellis, Evans, Foster, Gibson, Lewis, Malone, Price, Sibley, Vincent, White and Young—17.

Those who voted in the negative, are Messrs. Speaker, G. W. Ashe, Ashurst, Atkinson, Barron, Benners, Brooks, Bryan, Bryers, Brown, Chapman, Charlton, Cobb, Clarke, Chisolm, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Fannin, Franklin, Gafford, Gardner, Graves, Hames, Hollis, Holley, Howard, Howell, Jones, J. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Magee, Manasco, May, Mitchell, Modawell, J. Moore, Jno. G. Moore, Morrow, Moulton, McAlexander, McCain, McInnis, McClelland, McLemore, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Parish, Read, Ryan, Scruggs, Seay, Sims, Sykes, Taylor, Vansandt, West and Williams—66.

Pending the consideration of which the Senate, by invitation, appeared within the Hall of the House, the hour of 12 M., having arrived, for the purpose of electing a Confederate States Senator to fill the vacancy occasioned by the death of the Hon. W. L. Yancey, and the two Houses in joint convention proceeded to said election.

Mr. Bethea placed in nomination the name of Robert Jemison, jr., of Tuscaloosa.

Mr. Modawell placed in nomination, the name of John A. Winston, of Mobile.

Those who voted for Mr. Jemison, are Messrs. Barnes, Cato, Clarke, Coleman, Coman, Critcher, Davis, Ervin, Garrett, Groce, Hammond, Hardwick, Hill, Jackson, Ligon, Lewis, Moren, McCall, Payne, Peacock, Porter, Reavis, S. F. Rice, F. Rice, Toulmin, Walker and Wood of the Senate; and Messrs. Speaker, Ashurst, Atkinson, Barron, Beard, Bethea, Bishop, Brooks, Bryan, Bryers, Brown, Chambers, Chapman, Charlton, Cooper, Cobb, Clarke, Chisolm, J. W. Davis, M. L. Davis, Dent, Donnell, Ellis, Fannin, Franklin, Foster, Gardner, Graves, Gibson, Hollis, Holley, Howard, Jones, J. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Lewis, Magee, May, Mitchell, Jno. Moore, J. G. Moore, Morrow, Moulton, McAlexander, McCain, McInnis, McClelland, McLemore, Malone, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Robeson, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vansandt, Vincent, West and Young, of the House—97.

Those who voted for Mr. Winston, are Messrs. Brodnax of the Senate, and Messrs. G. W. Ash, Bell, Dawson, Evans, Gafford, Hames, Manasco, Modawell, Price, Read, and Ryan of the House.—12.

Mr. Williams voted for Mr. John Cochran, of Barbour county.

Mr. Jemison was then declared by the Speaker to be duly and constitutionally elected to fill the unexpired term of the late Hon. W. L. Yancey.

Mr. Foster with the consent of the House, offered the following resolution which was adopted:

Resolved, That a committee of three be appointed by the Speaker, to act with a like committee of the Senate in requesting the Rev. J. C. Tichenor, to furnish the joint committee with a copy of the sermon which he delivered in this Hall yesterday, for publication.

Messrs. Foster, Bethea, and Chambers composed said committee.

On motion of Mr. Chambers, 150 copies of the military bill was ordered to be printed.

Mr. McLemore moved to suspend the business before the House, to allow him to introduce certain joint resolutions, which motion was lost.

House then adjourned until 3½ P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

The question being upon the amendment of Mr. Bell, as follows :

“ Provided, the provisions of this act do not extend to families of substitutes who were, by agreement of the parties, to be supported by persons employing said substitutes.”

Which amendment was lost.

Mr. Cox moved to amend as follows, which was lost.

“ Provided, that the family of the man who enters the service as a substitute after the passage of this act, shall not be entitled to the benefits thereof.”

The question then recurred on the amendment of Mr. Manasco, which was lost—yeas 21, nays 41.

Those who voted in the affirmative are, Messrs. G. W. Ashe, Bell, Cooper, Cobb, Cox, Cumming, Clarke, Fannin, Holley, J. Keenan, Kilpatrick, Manasco, Modawell, Moulton, McCain, McLemore, Read, Seay, Vansandt, Vincent and White—21.

Those who voted in the negative are, Messrs. Speaker, Ashurst, Barron, Beard, Brooks, Bryers, Brown, Chapman, Charlton, Chisolm, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Gafford, Gardner, Gibson, Hames, Hollis, Howard, Howell, Jones, H. I. M. Kennon, Lawler, Leeper, Magee, Mitchell, J. Moore, McAlexander, McInnis, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Ryan, Sims, Sykes, West and Williams—41.

Mr. Fannin moved to amend as follows, which was adopted.

“ Provided, that the indigent families of deceased soldiers, and those discharged soldiers who are incapacitated for physical labor on account of wounds received, and permanent disease contracted in the service, be and are hereby made beneficiaries of this act.”

The bill was then read a third time and passed—yeas 69, nays 0.

Those who voted in the affirmative are, Messrs. Speaker, G. W. Ashe, Ashurst, Atkinson, Barron, Bell, Beard, Bishop, Brooks, Bryers, Brown, Chapman, Charlton, Cooper, Cobb, Cox, Cumming, Clarke, Chisolm, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Evans, Fannin, Foster, Gafford, Gardner, Hames, Hollis, Holley, Howard, Howell, Jones, Jno. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Lewis, Magee, Manasco, Mitchell, Modawell, Jno. Moore, Morrow, Moulton, McAlexander, McCain, McInnis, McLemore, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Ryan, Seay, Sims, Sibley, Sykes, Vansandt, Vincent, West, Williams and Young—69.

Mr. Lawler, from the committee on ways and means, reported favorably on the bill to amend the revenue laws of the State.

Which bill was read a third time and passed.

And reported adversely to the other bill to amend the revenue laws of the State.

Which report was concurred in.

Mr. Parker, from the committee on propositions and grievances, reported adversely to the bill to repeal the law in relation to the distillation of grain in Alabama.

Mr. Manasco moved to lay the report on the table.

Which motion was lost, and the report was concurred in.

Mr. Cobb, from the committee on roads, bridges and ferries, reported a substitute for the bill in relation to working on public roads.

Which substitute was adopted, and the bill read a third time forthwith and passed.

Mr. Cooper introduced a bill to pay the members and officers of the General Assembly.

Which was read three times forthwith and passed.

Senate bills—

Supplementary to an act to authorize the Confederate States to purchase and hold, in Alabama, a site for rolling mills, foundery, &c., approved November 17, 1862.

To repeal that portion of the revenue laws which requires the tax collectors of the several counties to furnish the tax payers a schedule of the property upon which tax is paid.

To authorize circuit judges to hold special terms of the Circuit Court in certain cases.

Were severally read three times forthwith and passed.

Senate bills—

To change the boundary lines of Mobile and Washington counties.

For the relief of W. B. Robinson, of Tuscaloosa.

For the relief of the indigent families of soldiers in Washington county.

To authorize Mr. McCorvey, probate judge of Munroe county, to act as such in the settlement of the estate of H. O. Abney, deceased.

To authorize the Court of Probate of Chambers county to grant letters of administration upon the estate of J. M. Kennedy, deceased.

Were severally read a first and second time forthwith, and laid over, under a rule of the House.

The Senate bill to amend section 1934 of the Code, was read twice forthwith, and referred to the judiciary committee.

Mr. McLemore introduced joint resolutions to equalize taxation for the support of indigent families of soldiers, &c.

Which was read and adopted.

Message from the Senate :

Senate, August 22, 1863.

Mr. Speaker :

The Senate has adopted the following resolution :

Resolved, The House of Representatives concurring, that the two Houses of this General Assembly adjourn *sine die* as soon as the legislation for the military defense of the State shall be finished.

The Senate has amended the House resolution as to the election of a Chancellor, by striking out 12, M. to day, and inserting Wednesday next, at 12, M.

The first of the above was adopted, and the latter concurred in by the House.

Mr. Jones introduced joint resolutions upon the subject of making Confederate Bonds and Treasury Notes a legal tender.

Which, on motion of Mr. Sykes, were postponed till Monday next.

Messrs. Franklin, Parish, Price, May and Graves, asked leave to record their vote against the amendment of Mr. Manosco, and in favor of the bill to contribute to the support of the indigent families of soldiers, &c.

Mr. Malone voted yea on both propositions.

Mr. Modawell, from the committee on local legislation, reported favorably on the bill to amend section 1748 of the Code, so far as it relates to Bibb, Randolph and Shelby counties.

Which bill was read a third time, forthwith, and passed.

Mr. Magee, from the committee on ways and means, reported favorably on the bill to repeal an Act to regulate the sale and exportation of corn, approved December 8th, 1862.

Which bill was read a third time, forthwith, and passed.

Mr. Jones, from the same committee, reported favorably to the bill to require persons to pay taxes in the county where the property is located, in certain cases.

Which bill was read a third time, forthwith, and passed.

House then adjourned until 9½ o'clock Monday morning.

MONDAY, AUGUST 24, 1863

House met pursuant to adjournment.

Prayer by the Rev. Mr. Eley

Journal was read and approved.

Leave of absence was granted to Messrs. Bishop and Eyns.

Mr. Dawson obtained leave to record his vote in favor of the

bill to contribute to the support of the indigent families of soldiers.

On motion of Mr. Cumming, the rule of the House refusing to consider bills of a local character was suspended.

Senate bills—

To amend section 1748 of the Code as to Bibb county

To change the boundary line between the counties of Mobile and Washington.

To authorize the Probate Court of Chambers county to grant letters of administration upon the estate of J. M. Kennedy, deceased.

For the relief of the indigent families of soldiers in Washington county.

To authorize Mr. McCorvey, Probate Judge of Munroe county, to act as such in the settlement of the estate of H. O. Abney.

Were severally read three times, forthwith, and passed.

Senate bill for the relief of W. B. Robinson, of Tuscaloosa, was read twice and referred to the committee on accounts and claims.

Mr. Foster introduced a bill to amend an Act to provide for the support of indigent families of soldiers, &c.

Which was read twice, and referred to the committee on ways and means.

Mr. Nisbit, a bill to provide for keeping up bridges in certain cases.

Which was read and ordered to a second reading.

REPORTS FROM STANDING COMMITTEES.

Mr. Lawler, from the committee of ways and means, reported a substitute for the bill to amend the revenue laws in relation to auction sales.

Which substitute was adopted, the bill read a third time, forthwith, and passed.

Also, from the same committee, reported it inexpedient to legislate upon the following bills and resolutions referred to that committee:

To amend the revenue laws of this State.

To amend an Act to prevent extortion.

Resolution to place all Confederate notes on the same footing.

Resolution amending the revenue laws of this State.

Which report was concurred in.

Mr. Modawell offered the following resolution:

Resolved, That no member of this House shall speak more than ten minutes at any one time during the present session.

Lies over one day.

Mr. Jones introduced joint resolutions upon the subject of making Confederate notes a legal tender.

Which were referred to a select committee consisting of Messrs. Jones, Lawler and Taylor.

Mr. Malone, by leave, introduced a bill for the relief of P. M. Frazier and J. A. Brandon.

Which was read three times, forthwith, and passed.

Mr. J. G. Moore introduced a bill to increase the pay of juries and witnesses.

Which was read three times, forthwith, and lost.

Mr. Vincent introduced joint resolutions instructing our Senators and Representatives in Congress to secure the passage of a law paying for horses lost in the war.

Which were read and adopted.

Mr. Holly introduced a bill for the relief of the tax payers of this State, in certain cases.

Which was read twice, forthwith, and reported to a select committee, consisting of Messrs. Sykes, Holly and Donnell.

Message from the Senate.

Senate, August 24, 1863.

Mr. Speaker :

The Senate has originated and passed bills :

To prevent the depreciation of the paper currency of the State of Alabama and of the Confederate States.

To authorize Charles W. Oliver to marry.

To provide for prosecuting and defending suits of persons of unsound mind.

For the relief of persons therein named.

The Senate concurs in the amendment of the House to the Senate bill.

To repeal an act to authorize the commissioners' courts of Fayette and Morgan counties to levy a tax on dogs.

The Senate has amended and passed the House bill :

To increase the fees of jailors for victualing prisoners.

The Senate has passed the House bill, to prevent the distillation of sugar or molasses. And amended the House bill.

For the relief of the Gas Light company of Selma, &c.

Mr. Benners, from the military committee, reported a bill to reorganize the militia of the State of Alabama.

Which was read twice, forthwith, and made special order for 10 o'clock to-morrow morning.

Also, from the same committee, reported adversely to the bill to amend section 2, chapter 11, of the military Code.

Which report was concurred in.

Also, from the same committee, reported it was inexpedient

to adopt the resolution proposing to place the Cadets at Tuscaloosa, within the conscript age in the Confederate States service.

Which report was laid on the table on the motion of Mr. Benners.

Mr. Sykes moved to suspend the rule upon local legislation so as to take up and consider the Senate bill for the relief of a person therein named.

Which motion was carried.

The bill was read three times, forthwith, and passed.

House adjourned until 9 o'clock to-morrow morning.

AUGUST 25, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Read of the House.

Journal was read and approved.

Messrs. Greathouse, Armstrong and Bradly appeared, were qualified and took their seats.

Bills &c., introduced—

By Mr. Gibson, a bill to provide for the redemption of detached halves of treasury note change bills issued by the State of Alabama.

Which was read three times, forthwith, and passed.

By J. G. Moore, in relation to certain duties of commissioners' courts and county treasurers.

Which was read twice forthwith.

Mr. Cumming moved to except the county of Monroe.

And the bill and amendment was referred to the judiciary committee.

House concurred in the amendments of the Senate to the bills—

To increase the fees of jailors for victualing prisoners.

For the relief of the Gas Light company of Selma, &c.

Senate bills to prevent the depreciation of the State and Confederate currency.

To provide for prosecuting and defending suits for persons of unsound mind.

Were read and referred.

Mr. Manasco, from the committee on accounts and claims, reported favorably on the Senate bill for the relief of Wm. B. Robinson, of Tuscaloosa.

Which bill was read a third time, forthwith, and passed.

Mr. Sykes, from the select committee, reported a substitute for the bill for the relief of the tax payers of this State.

Which was adopted, the bill read a third time, and passed.

Mr. Foster, from the select committee, reported that the

committee had procured a copy of the sermon delivered by the Rev. I. T. Tichenor, in the hall of the House on the 21st inst., and recommend the printing of one thousand copies for the use of the House.

On motion of Mr. Lawler, the report was laid on the table for the present.

Mr. Dawson, from the judiciary committee, reported favorably to the bill to increase the fees of certain public officers.

Mr. Dawson moved to amend by adding the clerks of the city court of Mobile and circuit court of Montgomery. Which was carried.

Mr. J. G. Moore moved to amend as follows, which was lost :

That no clerk or officer within the conscript age shall be entitled to said provisions of this act.

Mr. M. L. Davis moved to amend as follows, which was lost :

Be it further enacted, That the percentage, or pay, now allowed by law to tax assessors and collectors, shall be increased 25 per cent.

Mr. Foster moved to amend by adding county commissioners.

Which was lost.

The bill was ordered to a third reading.

Mr. Dawson, from the same committee, reported adversely to the bill to increase the fees of certain judicial and executive officers.

Which report was concurred in.

Mr. Clarke, from the same committee, reported adversely to the bill to prevent the depreciation of treasury notes issued by the authority of the Confederate States.

Which report was concurred in.

Mr. Taylor, from the same committee, reported favorably to the Senate bill to amend section 1934 of the Code.

Which was read a third time, forthwith; and passed.

The hour of 12 o'clock having arrived, the House proceeded to consider the special order for that hour, to wit: The bill to reorganize the militia of the State of Alabama.

The bill was considered section by section.

Mr. Modawell moved to amend section 2 as follows, which was lost :

Provided, that those who have furnished substitutes in the army or navy of the Confederate States, shall be enrolled and classified according to the age of said substitutes.

Yeas 22, nays 61.

Those who voted in the affirmative are, Messrs. G. W. Ashe,

Bell, Bryers, Charlton, Cumming, Clarke, Chisolm, M. I. Davis, Dawson, Gafford, Hollis, Holley, H. I. M. Kennon, Kilpatrick, Lewis, Manasco, Modawell, McClelland, McLemore, C. A. Parker, Sykes and Vincent—22.

Those who voted in the negative are, Messrs. Speaker, Ashurst, Atkinson, Barron, Beard, Benners, Bethea, Brooks, Bryan, Brown, Chambers, Chapman, Carlisle, Cooper, Cox, J. W. Davis, Dent, Donnell, Ellis, Fannin, Franklin, Foster, Gardner, Graves, Gibsor, Greathouse, Head, Howard, Howell, Jones, J. Keenan, Lawler, Leeper, Magee, May, Mitchell, J. Moore, J. G. Moore, Morrow, Moulton, McAlexander, McCain, McInnis, Malone, Nisbet, Ogbourne, Orr, E. S. C. Parker, Parish, Parsons, Price, Ryan, Robeson, Seay, Sibley, Taylor, Vansandt, West, White, Williams and Young—61.

Mr. Clarke moved to amend by striking out the word "sixteen" where it occurs in the 4th line of section 2.

Mr. Seay moved to amend the amendment, by striking out in the 4th line the word "sixteen" and inserting in lieu thereof "eighteen."

Mr. Clarke called for a division of the question.

The question being first upon striking out.

Lost—yeas 34, nays 52.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Beard, Charlton, Cooper, Cobb, Cumming, Clarke, Chisolm, J. W. Davis, M. L. Davis, Donnell, Foster, Gibson, Holley, Hollis, Lewis, Manasco, J. G. Moore, Morrow, McCain, McClelland, McLemore, Malone, Orr, E. S. C. Parker, Seay, Sibley, Sykes, Vansandt, Vincent, West and White—34.

Those who voted in the negative are, Messrs. Speaker, Atkinson, Barron, Boll, Benners, Bethea, Brooks, Bryan, Bryers, Brown, Chambers, Chapman, Carlisle, Cox, Dawson, Ellis, Fannin, Franklin, Gafford, Gardner, Graves, Greathouse, Hames, Head, Howard, Howell, Jones, J. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Magee, May, Mitchell, Modawell, Jno. Moore, McAlexander, McInnis, Nisbet, Ogbourne, C. A. Parker, Parish, Parsons, Price, Read, Ryan, Robeson, Scruggs, Sims, Taylor and Williams—52.

Mr. Graves moved to strike out "thirty" and insert "twenty-five" in the 11th line of section 2.

Mr. McLemore moved to strike out all after the word "it," in the 8th line of section 2.

Which motion was lost.

Mr. Graves' motion was then lost.

Mr. Cumming moved to strike out the word "sixty" in the 4th line of section 2.

Which was lost—yeas 38, nays 48.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Bradley, Charlton, Cooper, Cobb, Cumming, Clarke, Chisolm, J. W. Davis, M. L. Davis, Dent, Donnell, Gibson, Greathouse, Hollis, Holley, Howell, Kilpatrick, Manasco, Mitchell, J. G. Moore, Morrow, McCain, McClelland, McLemore, Malone, Orr, E. S. C. Parker, Seay, Sibley, Sykes, Vansandt, Vincent, West and White—38.

Those who voted in the negative are, Messrs. Speaker, Atkinson, Barron, Beard, Bell, Benners, Bethea, Brooks, Bryan, Bryers, Brown, Chambers, Chapman, Carlisle, Dawson, Ellis, Fannin, Franklin, Foster, Gafford, Gardner, Graves, Hames, Head, Howard, Jones, J. Keenan, H. I. M. Kennon, Lawler, Leeper, Magee, May, Modawell, J. Moore, McAlexander, McInnis, Nisbet, Ogbourne, C. A. Parker, Parish, Parsons, Price, Read, Ryan, Robeson, Scruggs, Taylor and Williams—48.

Mr. Bethea moved to suspend the business before the House so as to allow him to make the following report.

Which motion was carried.

The committee on Confederate Relations, to whom was referred the two resolutions, one as to the employment of slaves in the army of the Confederate States, as teamsters and cooks, and the other as to their employment as soldiers, beg leave to report :

They have no doubt whatever of the policy of putting into the military service of our army such a number of our slaves as shall be sufficient for such of the duties of sappers and miners, as teamsters, cooks and nurses, as they can perform, and for all other services of mere physical labor, necessary in the operation and movements of an army. And without intending to cast any censure upon the conduct of the Administration, or the patriotism of the country, it is a matter of serious regret that a measure of such obvious policy had not been adopted in our armies from the beginning of the war. Whatever may have been the reluctance of our people, heretofore, to send their slaves to work on the public defences, we are persuaded that they are now so impressed with the magnitude of the common danger, and the necessity for a common sacrifice, that they will, without hesitation, furnish all the slave labor necessary to give increased efficiency to the power of the army.

In regard to the question of employing slaves as soldiers in our army, your committee have had much more difficulty, and they regret that so little time is allowed them to consider a subject so new, so complicated, and so widereaching in its relations and its consequences. It must be confessed that at almost any previous period, such a proposition would have

been rejected at once, as unwise, as impracticable, and as opposed to all our fundamental ideas of the relation of master and slave. But our enemy, in defiance of the usages of nations, and in utter contempt of the laws of God, has presented the question under a shape which leaves no grounds for debate, and no time for consideration.

This people—our domestic servants, our willing and obedient laborers, the inmates of our dwellings, the contented tillers of our soil—are sought to be made by our enemies the instruments for our destruction. In this unnatural war, if we do not make them our friends they must become our enemies. Their power to inflict injury must be employed for us or against us. The enemy, by means of his contiguity on our borders, and his immense naval resources, has obtained a foothold in extensive tracts of our country, and in many of its cities and towns; and in every place where he obtains control, not only proclaims the emancipation of all slaves, but at once forces into his service all the able bodied male slaves as soldiers. Finding itself unable to reduce us to subjection by all the methods of legitimate war, notwithstanding its immense superiority in numbers, and in all material resources, the Lincoln Government, in open denial of their object and policy in the commencement of the war, as declared by them to the world, not only attempts the emancipation of all our slaves, by public statute, but they force these slaves into their armies, and make them the agents to excite and extend insurrection throughout our land. Thus, with a malice “set on fire of hell,” they attempt to drive us to a choice between subjugation, with all its horrors, on the one hand, and the indiscriminate massacre of all our people on the other.

It is, we believe, unprecedented in the history of modern wars, among civilized nations, that the domestic servants, who are non-combatants, belonging to one belligerent power, should be taken and put into the invading army of the other, and when captured in arms against their own country should be entitled to all the privileges and immunities of prisoners of war. While we approve the decision of our Government in reference to the treatment of such of our slaves as are captured in arms against us, and of the white men who command them, yet we are compelled to perceive that, in our present condition, it does not meet the evil, but may greatly aggravate it. The enemy is recruiting his army from our slaves, as well as from foreign mercenaries, and the refuse of his own and of other nations. If we depend alone for soldiers on our own white population, the advantage of retaliation is altogether with the enemy. And if a war of extirmination should grow out of this

wicked policy of the enemy, the odds against us will be fearfully augmented.

Again—in addition to the loss we are suffering in the productive power of the country, by the capture of our slaves, we are calling into the military service all our available white labor. At the same time, great numbers of slaves and white families are moving farther into the interior, as the enemy approaches thus increasing the number of consumers, while the means and resources of production, for the support of the army and the population at home, are continually diminishing.

Your committee express no fixed opinion as to the capacity of the negro to make an efficient soldier ; yet they believe that with his habits of fidelity and obedience, his home and family attachments, and under the influence of the higher moral inducements which we may add to that cause in which his happiness is truly involved, he will become, with proper military training, far more efficient for us than against us.

At least we are willing to trust the experiment to our military authorities, under such rules as the wisdom of Congress may prescribe. If we wait till the enemy completes the experiment he is now making, we may find, when too late, that a neglected element of physical power, lying at our hand, has become, in the hands of the enemy, a fearful element towards our destruction.

As to the policy of converting any portion of our slaves into soldiers, the arguments against it are of such weight and power as would be unanswerable if it were not that the infamous conduct of the enemy has left us scarcely any option, and compelled us to adopt it. It seems to be one of those exceptional cases, occurring in the history of all nations, where it becomes necessary to violate some principle of fundamental policy, to save the nation from perishing. It is better to lose a part than to run the direct hazard of losing all.

As to the objection that it will occasion great individual loss, in the opinion of your committee, that consideration should not have a feather's weight in the scales, when national and individual existence, and all we hold most dear, are at stake.

The time has arrived, in our opinion, when all the property of the nation, movable and immovable, should be subjected to the purposes of this great revolution, and laid as an offering upon the common altar of the country. It will encourage our brave men in the field : it will take away all complaint from those who have abandoned it. It will exhibit to our enemies the proof that we will sacrifice all—lands and slaves and life, on the bed of honor and of duty, before we will submit to their dominion.

Your committee have not time to go into any more extended view of the subject. They offer for the consideration of the House, the following resolution, embracing both the propositions referred to them :

Resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened, That it is the duty of Congress to provide, by law, for the employment in the military service of the Confederate States, in such situations and in such numbers as may be found necessary, the able-bodied slaves of the country, whether as pioneers, sappers and miners, cooks, nurses, teamsters, or as soldiers.

When, on motion of Mr. Chambers, 150 copies were ordered to be printed for the use of the House, and the Report to be laid on the table.

Which motion was carried.

House adjourned until 9 o'clock to-morrow morning.

AUGUST 26, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Kennon of the House.

Journal was read and approved.

Mr. Modawell moved to suspend the call of the counties to allow him to offer the following resolution, which motion was carried :

Resolved, That his Excellency, the Governor, be requested to communicate to this House how many contracts he has entered into, and with what persons, for the distillation of grain under "an Act prohibiting the distillation of grain in the State of Alabama, except under the authority of the Governor," and what amount of nett profits will probably result to the State during the present year under said contracts.

Which resolution was adopted.

Bills introduced—

By Mr. Taylor, to regulate judicial proceedings.

For the benefit of soldiers in the State and Confederate service.

To repeal certain acts therein named.

To prevent the depreciation of Confederate currency.

Which were severally read twice, and referred to the judiciary committee.

Mr. Bethea moved to suspend the rule as to local legislation so as to allow the consideration of the Senate bill to allow Charles W. Oliver to marry.

Which motion was carried.

This bill takes its place among the Senate messages.

REPORTS FROM COMMITTEES.

Mr. Parsons, from the judiciary committee, reported adversely to the following bills:

To amend an Act to regulate judicial proceedings, approved December 10th, 1861.

To amend section 1803 of the Code.

To repeal sections 1 and 3 of an Act to prevent extortion.

Which reports were concurred in.

Mr. Taylor, from the same committee, reported adversely to the bill

To amend section 1934 of the Code.

Which was concurred in.

Mr. McAlexander, from the same committee, reported adversely to the bill to amend section 1023 of the Code.

Which was concurred in.

Mr. Chapman, from the same committee, reported adversely to the bill to fix the pay of members and officers of the General Assembly.

Which was concurred in.

Mr. Cumming, from the same committee, reported adversely to the bill to prohibit the circulation in this State of United States currency.

Which was concurred in.

Mr. Lawler, from the committee on ways and means, reported favorably to the bill to amend an Act to provide support for the families of the indigent soldiers, &c.

Which bill was read a third time, forthwith, and passed.

Mr. Chapman, from the committee on enrolled bills, reported as correctly enrolled, the bill appropriating \$ 25,000 to pay the members and officers of the General Assembly.

The hour of 10 o'clock having arrived, the House proceeded to the consideration of the Special Order, it being the bill to reorganize the militia of the State of Alabama.

Mr. C. A. Parker moved that the bill be re-committed to the military committee, with instruction to strike out of the proposed militia age all under "17" and over "50" years, and that all between 17 and 50 comprise the militia of the State, and placed under the unrestrained control of the Governor for State defense.

Which motion was lost.

Mr. Robeson moved to amend at the end of section 2 as follows, which was adopted:

Provided, That it shall not be deemed or held to apply to such counties within the State, the greater proportion of whose militia beats have now, or may prior to the time of perfecting the enrollment contemplated by said section of the Act, fall

within the lines of territory occupied by the organized Federal army. Yet, nevertheless, it shall be the duty of the special aid-de-camp of each respective county, so soon as it shall become practicable for him so to do, by reason of the evacuation of such territory by the Federal army, at once and with the greatest possible dispatch, to enroll and report to the Governor, the number of persons so found liable to do and perform militia duty, as provided by the said sections.

At 12 o'clock the two Houses met in joint convention in the hall of the House for the purpose of electing a Chancellor for the Middle Chancery Division.

Mr. Barnes, of the Senate, placed in nomination the name of Jefferson Falkner, of Chambers county.

Mr. Dawson, of the House, placed in nomination the name of W. M. Byrd, of Dallas county.

Those who voted for Mr. Falkner are, Messrs. Barnes, Beeson, Coleman, Garrett, Hardwick, Hill, Ligon, McCall, Peacock, S. F. Rice, F. Rice, and Wood of the Senate; and Messrs. Ashurst, Brooks, Bryan, Carlisle, Cooper, Cox, Clark, Dent, Fannin, Franklin, Greathouse, Head, Holly, Jones, H. I. M. Kennon, J. G. Moore, McCain, McClelland, McLemore, Ogbourne, E. S. C. Parker, Read, Ryan, Vansandt and Williams, of the House—37.

Those who voted for Mr. Byrd are, Messrs. President, Brodnax, Cato, Clarke, Coman, Critcher, Davis, Ervin, Groce, Hammond, Harrison, Jackson, Moren, Payne, Porter, Reavis and Toulmin, of the Senate; and Messrs. Speaker, Armstrong, G. W. Ashe, Atkinson, Barron, Beard, Bell, Benners, Bethea, Bradley, Bryers, Brown, Chambers, Chapman, Charlton, Cobb, Cumming, Chisolm, J. W. Davis, M. L. Davis, Dawson, Donnell, Ellis, Foster, Gafford, Gardner, Graves, Gibson, Hames, Hollis, Howard, Howell, J. Keenan, Kilpatrick, Lawler, Leeper, Lewis, Magee, Manasco, May, Mitchell, Modawell, J. Moore, Morrow, Moulton, McAlexander, McInnis, Malone, Nisbet, Orr, C. A. Parker, Parish, Parsons, Price, Robeson, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vincent, West, White and Young, of the House—82.

Mr. Byrd having received a majority of the whole number of votes given, Mr. Speaker declared him duly and constitutionally elected Chancellor for the time prescribed by the Constitution.

The Senate then withdrew to their chamber, and the House resumed the consideration of the Special Order.

Mr. Lawler moved to amend, by inserting the words "and under 50" after the word "forty-five" in the 5th line of section three.

Mr. Franklin moved the previous question.

Which was lost.

Mr. Price moved to lay on the table the amendment of Mr. Lawler.

Which was lost—yeas 34, nays 48.

Those who voted in the affirmative are, Messrs. Speaker, Atkinson, Beard, Bell, Benners, Brooks, Bryan, Brown, Chambers, Cumming, Dawson, Fannin, Franklin, Gafford, Graves, Hames, Jones, J. Keenan, H. I. M. Kennon, Magee, J. Moore, Morrow, Moulton, McLemore, Malone, Ogbourne, C. A. Parker, Price, Read, Ryan, Robeson, Taylor, Vincent and Williams—34.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bradley, Bryers, Chapman, Carlisle, Charlton, Cooper, Cobb, Cox, Clarke, Chisolm, M. L. Davis, Dent, Donnell, Ellis, Foster, Gardner, Gibson, Greathouse, Head, Hollis, Holley, Howard, Howell, Kilpatrick, Lawler, Manasco, Mitchell, Modawell, John Moore, McAlexander, McCain, McClunis, McClellan, Nisbit, E. S. C. Parker, Parish, Parsons, Scruggs, Seay, Sims, Sibley, Sykes, Vansandt, and White—48.

Mr. Chambers moved to amend the amendment by striking out "2" and inserting "5."

Which was lost.

Mr. Gibson moved to amend the amendment by striking out "2."

Which was lost—yeas 34, nays 54.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Barron, Bradley, Charlton, Cooper, Cobb, Clarke, Chisolm, J. W. Davis, M. L. Davis, Donnell, Ellis, Gibson, Hollis, Holley, Howell, Kilpatrick, Leeper, Manasco, J. Moore, McAlexander, McCain, McClelland, Malone, Orr, E. S. C. Parker, Scruggs, Seay, Sykes, Vansandt, Vincent, West and White—34.

Those who voted in the negative are, Messrs. Speaker, Ashurst, Atkinson, Beard, Bell, Benners, Bethea, Brooks, Bryan, Bryers, Brown, Chambers, Chapman, Carlisle, Cox, Cumming, Dawson, Dent, Fannin, Franklin, Foster, Gafford, Gardner, Graves, Greathouse, Hames, Head, Howard, Jones, J. Keenan, H. I. M. Kennon, Lawler, Magee, May, Mitchell, Modawell, J. Moore, Morrow, Moulton, McClunis, McLemore, Nisbit, Ogbourne, C. A. Parker, Parish, Parsons, Price, Read, Ryan, Robinson, Sears, Sibley, Taylor and Williams—54.

When, on motion, the House adjourned till 4 P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and resumed the consideration of the bill to reorganize the militia of the State of Alabama.

The question being upon the adoption of Mr. Lawler's amendment, which was adopted.

Mr. Cooper moved to amend as follows: Strike out all after the enacting clause in section 3, to the word "our," in the 11th line, and insert, "that it shall be the duty of the special aid, in five days after the enrollment has been completed in his county, to make up a list from said enrollment of all persons between the ages of and inclusive, and enroll them as the State militia, subject to be called into active service by the Governor, and that all other persons be exempted from military service until otherwise provided by law."

Mr. Bell moved to amend said amendment by filling the blank with "17 and 50."

Which was lost—yeas 28, nays 56.

Those who voted in the affirmative are Messrs. Atkinson, Beard, Bell, Brown, Chambers, Chapman, Cooper, Dawson, Fannin, Gafford, Graves, Gibson, Hollis, Magee, May, Mitchell, J. Moore, McClelland, Nisbit, C. A. Parker, Parish, Price, Ryan, Robeson, Scruggs, Sibley, Taylor and Williams—28.

Those who voted in the negative are, Messrs. Speaker, Armstrong, Ashurst, Barron, Bethea, Benners, Brooks, Bryan, Bryers, Carlisle, Charlton, Cobb, Cox, Clarke, Chisolm, J. W. Davis, Dent, Ellis, Franklin, Forbes, Gardner, Greathouse, Hames, Head, Holley Howell, Jones, J. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Lewis, Manasco, Modawell, J. G. Moore, Morrow, Moulton, McAlexander, McCain, McInnis, McLemore, Malone, Ogbourne, Orr, E. S. C. Parker, Parsons, Read, Seay, Sims, Sykes, Vansandt, Vincent, West and White—56.

Mr. Clarke moved to fill the blank with "18 and 45."

On motion of Mr. Parsons, the amendments of Mr. Cooper and Mr. Clarke were laid on the table—yeas 58, nays 27.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Barron Beard, Benners, Bethea, Bryan, Bryers, Chambers, Chapman, Charlton, Cobb, Cox, Chisolm, Dawson, Dent, Ellis, Fannin, Franklin, Foster, Gardner, Gibson, Greathouse, Hames, Howard, Howell, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Magee, Manasco, May, Mitchell, Modawell, Morrow, Moulton, McAlexander, McInnis, McLemore, Nisbit, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parish, Parsons, Price, Read, Ryan, Scruggs, Sims, Sibley, Taylor, West and Williams—58.

Those who voted in the negative are, Messrs Speaker, Atkinson, Bell, Bradley, Brown, Cooper, Clarke, J. W. Davis, Donnell, Gafford, Graves, Head, Hollis, Holley, Jones, J. Keenan, Lewis, J. Moore, J. G. Moore, McCain, McClelland, Malone, Robeson, Seay, Vansandt, Vincent and White—28.

Mr. Chambers moved to amend by adding the following at the close of section 3 :

Provided, That all the provisions of this act which contemplates the organization of a class of persons, shall be inoperative and void in the counties of Lauderdale, Lawrence, Franklin, Blount, Morgan, Limestone, Madison, Jackson, DeKalb, Marshall, Choctaw, Winston and Walker, but the enumeration provided for in section 2 shall be made if not prevented by the presence of the enemy.

Mr. Morrow moved to add the county of Jefferson.

Which was lost.

Mr. M. L. Davis moved to add the county of Marion.

Which was last.

On motion of Mr. Jones, the amendment, and amendment to the amendment were laid on the table.

On motion of Mr. Parsons, the business before the House was suspended to allow him to offer the following resolution, which was adopted :

Resolved, That his Excellency, the Governor, be requested to communicate to the joint committee the number and kind of arms, and the amount and kind of ammunition belonging to this State, and where the same now are.

Mr. Manasco moved to amend the military bill by adding : " And all Ministers of the Gospel, having the care of a church or churches," to be inserted after the word "Alabama," in the 7th line of section 3.

Which was lost.

Mr. Jones moved to amend section 3 by adding, after the word "Alabama," in the 7th line, the following : "Provided, such judicial officers are either judges of the Confederate, Chancery, Circuit, Supreme or Probate courts of this State, or are now the age of 45, otherwise they shall constitute a part of class number two."

Mr. C. A. Parker moved to amend said amendment by adding sheriffs, clerks of circuit courts and registers in chancery.

Which was lost.

And Mr. Jones' amendment was then lost.

Mr. Kilpatrick moved to amend section 3 by striking out the words "legislation or," in the 6th line, and by inserting instead, the word "and." Pending the consideration of which the House adjourned till 9 o'clock to-morrow morning.

AUGUST 27, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Parker of the House.

Journal was read, corrected and approved.

Mr. Cooper moved to suspend the call of the counties so as to take up the Governor's Message now lying on the Clerk's desk.

Which was carried.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., August 6, 1863. }

Gentlemen of the House of Representatives :

In response to the resolutions of the House of Representatives, requesting the Governor to communicate to the House the amount of the bonds of the State, sold since the adjournment of the General Assembly, in December last, the rate of premium obtained for the same, and whether the condition of the Treasury will require any further sales to be made, to meet past appropriations, I have the honor to inform the House that the amount of bonds sold, is \$1,500,000, the amount of premiums received on the same, is \$27,533 96, being an average rate of 83½ 100 per cent. on the gross amount of sales. The bonds were advertised for sale to the highest bidder ; \$1,000,000 on the 1st of January, and \$500,000 on the 1st of February last, and notices were published in the city papers of Richmond, Knoxville, Charleston, Savannah, Macon, Montgomery and Mobile.

The whole amount of the first loan, advertised for the 1st of January, was not covered by the bids, and much the larger portion bid for, was taken at par, the balance was disposed of at the Treasury, at advancing rates, closing up at ten per cent. premium. It is not believed that any further sales of bonds are necessary to meet past appropriations.

In reply to the inquiry as to the amount of change bills issued and put into circulation, I have to report the sum of \$1,598,228.

In response to the inquiry as to what action has been taken by the Executive, under an act making an appropriation for two hundred and fifty thousand dollars, to encourage the manufacture of fire arms ; what advances have been made, to whom, at what time, and whether in bonds or money ; and how many arms have been delivered to the State up to this time, and the prospect of future delivery," I have the honor to state that, in my annual communication to the General Assembly, at its last Session, I advised the General Assembly of the disposition which had been made of this appropriation. I stated, in that communication, the advances to the "Alabama Arms Manufac-

turing Company," were made in the bonds of the State, as stipulated in the contract and in the amounts, and at the dates following, to wit :

May 22, 1862,	25	Bonds of \$1,000 each	.....	\$ 25,000
June 25, " "	75	" 1,000 "	.....	75,000
June 25, " "	50	" 500 "	.....	25,000
Oct. 30, " "	100	" 1,000 "	.....	75,000
Oct. 30, " "	100	" 500 "	.....	50,000

Total advances.....\$250,000.

No arms have been delivered to the State under this contract, and I have no sufficient information enabling me to state the prospect of future delivery. The company have represented, and I doubt not, correctly, that their operations have been greatly delayed for want of mechanics to work in their establishment. Applications have been made to the Secretary of War, for details of workmen: and although the applications have been earnestly recommended by the Executive, on the ground that the Company had entered into their large contract for the manufacture of arms for the State of Alabama, the applications were all refused.

In this connection, it is deemed proper to advise the General Assembly, of other contracts for the manufacture of small arms, and which, also, were communicated to the last annual session, in the following terms.

"Under other appropriations, made by the General Assembly, for supplying small arms to the State, I have succeeded in closing contracts with responsible citizens of the State for the manufacture of eight thousand Mississippi rifles, upon satisfactory terms, copies of which contracts are also herewith communicated. The works of Dickson, Nelson & Co., which were located in North Alabama, having been interrupted by the enemy, were removed to an adjacent State, where, unfortunately, after the works had been re-established, and the company were nearly ready to turn out arms, much of their valuable machinery and stock was destroyed by fire. With unflagging energy, however, they are repairing and pressing on for the fulfillment of their contract. It is believed that, under the other contracts, the parties have so far advanced with their work, that deliveries of arms may be confidently expected to begin in a few weeks."

The contracts, here referred to, are as follows: with Dickson, Nelson & Co., on January 22d, 1862, for 5,000 stand; with L. G. Sturdevant, on 6th March, 1862, for 2,000 stand; and with Daniel Wallace on 9th May, 1862, for 1,000 stand;

The statement, by the Auditor of the Treasury, hereunto annexed, marked (A), show the advances respectively made to the different contractors.

It was confidently believed that deliveries of arms, under all the contracts mentioned, would have been made before this time ; but none have yet been received under either contract. The innumerable delays and drawbacks upon all enterprizes, such as these, have much prejudiced the interests of both the State and Confederate Governments ; and, it might promote the public service, if a full investigation could be made into the causes of delay, either with a view to remedy them, if possible, and to stimulate the energies of contractors with the State.

In response to the inquiry, by the House, of "how much salt has been manufactured by the State since the 1st day of January last ; what disposition has been made of it, and the prospects of procuring a supply for the families of soldiers, in due time to save the pork to be slaughtered during the coming season ; also, what quantity of salt has been delivered to the State by John P. Figh & Co., since the 1st day of January last," I have the honor, herewith, to submit to the House of Representatives, a copy of a letter of instruction from this Department, under date of 22nd December, 1862, to Mr. A. G. McGehee, salt commissioner of the State, explaining to him his powers and duties, under the Salt Laws, passed by the last Session of the General Assembly ; also, copies of letters of instructions to D. C. Green, Quartermaster General of the State, as to his duties in the matter of transportation and distribution of the salt ; also, a copy of a letter to the county agents, for the sale of salt, and a copy of a circular letter to the Judges of Probate, in the various counties, as to the distribution of the salt, directed by the law to be appropriated exclusively for the indigent families of soldiers. The shipment and distribution of salt, it is believed, have been made in pursuance of these instructions.

The information on file in the Executive office, does not show the quantity of salt manufactured by the State. From 1st January last to this date, the account of the State commissioner shows that from the 1st of November last to the 29th of March last, 11,934 bushels were appropriated to the payment for labor, clothing, materials for building, machinery, provisions, forage, &c. The report of D. C. Green, Quartermaster-General, herewith submitted, shows the quantity of salt received by him, since the 1st of January last, from the State works, for General distribution, to be 6,759 bushels ; and the quantity received from John P. Figh & Co., and other Lessees, for the same period, is shown to be 7,115 bushels. Of this amount, the

reports of shipments made to this department by Figh & Co., show that they furnished, from 1st of January to 31st of July, inclusive, 5,537 bushels.

By the Acts passed at the last Session, the salt received from the State furnaces, is to be shipped to the counties for general distribution, while that received from the Lessees of the State is exclusively appropriated for the use of soldiers' families.

From the data here presented, the House cannot fail to see, that if the people are left dependent upon the supplies of salt to be furnished by the State, the quantity which may be reasonably calculated upon, will be greatly inadequate to their necessities. To the weakness of the saline waters of the State, and the inability of the State Commissioner to obtain slave labor upon any reasonable terms, may be attributed, mainly, the failure of more extended manufacture. How these difficulties, and many others, may be overcome and the quantity of salt increased, are questions submitted to the wisdom of the General Assembly.

JNO. GILL SHORTER.

Mr. Chapman, from the committee on enrolled bills, reported the following as correctly enrolled :

To divorce Lemons Box from his wife Rutha Box.

To divorce Moses Jones from his wife Sarah Ann Jones.

To require persons to pay taxes in the counties where the property is located, in certain cases.

To prevent the distillation of molasses and sugar.

To increase the fees of jailors for victualing prisoners.

For the relief of P. H. Brondon and P. M. Frazier.

For the relief of the gas light company of Selma, &c.

Bills introduced—

Mr. Dawson presented the petition of James McCullum of Dallas county.

Which was referred to the committee on propositions and grievances.

By Mr. Parsons, a bill to amend an act to provide for the reorganization of the penitentiary.

Which had three readings, forthwith, and was passed.

The House proceeded to the consideration of the joint resolutions of the Senate in relation to Generals Pemberton and Holmes, as amended by the Senate.

Which amendment was concurred in.

The caption was so amended as to read : joint resolutions of the General Assembly in relation to the war between the Confederate States and the United States.

Senate bill to authorize Charles W. Oliver to marry.

Was read three times, forthwith, and passed.

House refused to concur in the amendment of the Senate to the House bill in relation to the act to regulate the sale and exportation of corn, approved December 8, 1862.

House concurred in 1st and 4th amendment of the Senate to the House bill, to contribute to the support of the families of soldiers in the military service, &c., and refused to concur in the 2nd and 3rd amendments to the same bill.

Mr. Dawson moved to reconsider the vote concurring in the adverse report to the bill to increase the pay of members and officers of the General Assembly.

Which motion was carried.

House then refused to concur in the adverse report to that bill.

Mr. Gibson moved to strike out "50" and insert "100."

Which was lost.

The bill was then read a third time and passed, and was ordered, forthwith, to the Senate.

Message from the Senate.

Senate, August 27, 1863.

Mr. Speaker :

The Senate has originated and passed a bill to incorporate the "Ashby and Cahaba river railroad company," and ordered the same, forthwith, to the House, without engrossing.

Said bill was then taken up, read three times, forthwith, and passed.

The hour of 10 o'clock having arrived, the House proceeded to the consideration of the bill to reorganize the militia of the State of Alabama. The question was upon the amendment of Mr. Kilpatrick.

Which was adopted—yeas 49, nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Barron, Benners, Bryan, Bryers, Brown, Chambers, Chapman, Cobb, J. W. Davis, M. L. Davis, Dawson, Fannin, Franklin, Foster, Gafford, Groce, Hames, Head, Hollis, Holley, J. Keenan, H. I. M. Kemmon, Kilpatrick, Lawler, Leeper, Magee, Manasco, Modowall, J. G. Moore, Moulton, McCain, McInnis, Ogbourne, C. A. Parker, Parish, Price, Read, Ryan, Robeson, Scruggs, Seay, Sims, Sivley, Taylor, Vincent, White and Williams—49.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Beard, Bell, Bethca, Bradley, Brooks, Carlisle, Charlton, Cooper, Coleman, Cox, Clarke, Chisolm, Dent, Donnoll, Ellis, Gibson, Greathouse, Howard, Howell, Mitchell, J. Moore, Morrow, McAlexander, McClelland, Malone, Nisbit, Orr, Parsons, Sykes, Vansandt and West—34.

On motion of J. G. Moore, said vote was reconsidered.

Which, on motion of Mr. Clarke, was laid on the table—yeas 46, nays 41.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Atkinson, Barron, Beard, Bell, Bethea, Bradley, Brooks, Bryan, Carlisle, Charlton, Cooper, Coleman, Cox, Clarke, Chisolm, Dent, Donnell, Ellis, Gardner, Gibson, Greathouse, Howard, Howell, Lewis, Manasco, Mitchel, John Moore, John G. Moore, Morrow, Moulton, McAlexander, McCain, McClelland, Malone, Nisbit, Orr, Parsons, Sivley, Sykes, Taylor, Vansandt and West—46.

Those who voted in the negative are, Messrs. Bemers, Bryers, Brown, Chambers, Chapman, Cobb, J. W. Davis, M. L. Davis, Dawson, Fannin, Franklin, Foster, Gafford, Graves, Green, Hames, Head, Hollis, Holley, Jones, John Keenan, H. I. M. Kemon, Kilpatrick, Lawler, Leeper, Magee, May, Modawell, McInnis, Ogbourne, C. A. Parker, Parish, Price, Reid, Ryan, Robeson, Seay, Sims, Vincent, White and Williams—41.

Mr. Cox moved to amend section 3, by striking out the 3rd division of Class number 1, to wit: All executive, legislative and judicial officers of the Confederate States of America and of the State of Alabama.

Mr. Vansandt moved to lay said amendment on the table.

Which was carried—yeas 47, nays 36.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Bemers, Bethea, Bryers, Chambers, Charlton, Coleman, Chisolm, J. W. Davis, Dent, Ellis, Gardner, Gibson, Greathouse, Hames, Howard, Howell, Leeper, Magee, Manasco, Mitchell, John Moore, Morrow, Moulton, McAlexander, McCain, McInnis, Malone, Nisbit, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Reid, Ryan, Sims, Sivley, Sykes, Vansandt, Vincent, West and White—47.

Those who voted in the negative are, Messrs. Speaker, Barron, Bradley, Brooks, Bryan, Chapman, Carlisle, Cobb, Cox, Clarke, M. L. Davis, Dawson, Donnell, Fannin, Franklin, Foster, Gafford, Graves, Head, Hollis, Holley, Jones, John Keenan, H. I. M. Kemon, Kilpatrick, Lawler, May, Modawell, John G. Moore, McClelland, Orr, Parish, Price, Robeson, Scruggs, Seay and Williams—36.

Mr. Jones moved to amend as follows: Strike out all in the bill that refers to the 1st class, and the bill be so amended as that the persons named in said 1st class be only enrolled.

Mr. Dawson moved to amend, by way of substitute, as follows: Provided that the persons composing the 1st class in the counties of Jackson, Madison, Limestone, Lauderdale, Franklin, Lawrance, Morgan and Marshall, which have been invaded, shall not be subject to the operation of this act.

On motion of Mr. Cooper, the amendment and substitute were laid on the table.

Mr. Speaker (Mr. Bethea, in the Chair) moved to reconsider the vote by which the amendment of Mr. Cooper was laid on the table.

Mr. Bethea moved to lay the motion of the Speaker on the table.

Which was lost—yeas 34, nays 50.

Those who voted in the affirmative are, Messrs. Armstrong, Ashurst, Bell, Benners, Bethea, Brooks, Bryers, Chambers, Coleman, Cox, Clarke, Dawson, Dent, Donnell, Foster, Gardner, Greathouse, Hames, Howell, Kilpatrick, Lawler, Leeper, Modawell, Morrow, Moulton, McInnis, McClelland, Parish, Parsons, Reid, Sykes, Taylor, West and Williams—34.

Those who voted in the negative are, Messrs. Speaker, G. W. Ashe, Atkinson, Barron, Beard, Bradley, Bryan, Chapman, Carlisle, Charlton, Cooper, Cobb, Chisolm, M. L. Davis, Ellis, Fannin, Franklin, Gafford, Graves, Gibson, Head, Hollis Holley, Howard, Jones, H. I. M. Kennon, Lewis, Magee, Manasco, May, Mitchel, John Moore, John G. Moore, McAlexander, McCain, McLemore, Malone, Nisbit, C. A. Parker, E. S. C. Parker, Price, Ryan, Robeson, Scruggs, Seay, Sims, Sivley, Vansandt, Vincent and White—50.

The vote was then reconsidered.

Mr. Speaker, (Mr. Chambers in the Chair), moved to reconsider the vote rejecting the amendment of Mr. Bell.

Which motion was lost.

Mr. Manasco moved to fill the blank with "18 and 45."

Mr. Groves moved to lay Mr. Cooper's amendment and the amendment of Mr. Manasco on the table.

Which was lost.

The question was 1st on the amendment of Mr. Manasco.

Mr. Price called for a division of the question.

Mr. Modawell moved to lay the amendment of Mr. Manasco on the table.

Which was carried.

Mr. Parsons moved to fill the blank with "17 and 45."

A division of the question was called when both of those numbers were adopted.

The question was then upon the amendment as amended.

When the House received the Senate bill to reorganize the militia of this State.

Mr. Modawell moved to lay the House bill on the table and take up the Senate bill.

Which was carried.

House adjourned till 4 P. M.

AFTERNOON SESSION.

AUGUST 27, 1863.

House met pursuant to adjournment.

Mr. Chapman, from the committee on enrolled bills, reported as correctly enrolled :

Joint resolutions to equalize taxation for the support of indigent families of soldiers, and to support the same by the State.

Joint resolutions instructing our Senators and Representatives in Congress to procure the passage of a law paying for horses lost in the war.

The Senate bill to reorganize the militia of the State of Alabama, was read a second time forthwith.

Mr. Cooper moved to strike out the words "enrolled" and "enrollment," wherever they occur throughout the bill, and insert the words "enumerated," and "enumeration."

Which was adopted.

Mr. Bethea called the previous question.

Which was lost—yeas 21, nays 58.

Those who voted in the affirmative are, Messrs. Bell, Bethea, Bryers, Chapman, Coleman, Dawson, Franklin, Foster, Gardner, Howell, Jones, John Keenan, Modawell, John Moore, McInnis, Ogbourne, C. A. Parker, Price, Reid, Robeson and Williams—21.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Beard, Benners, Bradley, Brooks, Bryan, Chambers, Carlisle, Charlton, Cooper, Cobb, Cox, Chisolm, M. L. Davis, Dent, Donnell, Ellis, Fannin, Gattford, Graves, Gibson, Greathouse, Head, Hollis, Howard, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Lewis, Manasco, May, Mitchell, John G. Moore, Morrow, Moulton, McAlexander, McCain, McClelland, McLemore, Malone, Nisbit, Orr, E. S. C. Parker, Parish, Parsons, Ryan, Seay, Sims, Sykes, Vansandt, Vincent, West and White—58.

Mr. Cooper moved to amend section 3, by striking out all after the ensuing clause, to the word "one," in the 11th line, and by inserting as follows : "That it shall be the duty of the special aid, in five days after the enumeration has been completed in his county, to make up a list from said enumeration, of all persons between the ages of 17 and 45 inclusive, and enumerate them as the State militia, subject to be called into active service by the Governor, and that all other persons are exempted from military service until otherwise provided by law.

Mr. Chambers moved to strike out "45,"

Which was lost—yeas 28, nays 57.

Those who voted in the affirmative are, Messrs. Speaker, Beard, Bell, Bryan, Chambers, Chapman, Cooper, Dawson, Ellis, Gafford, Graves, Gibson, Hanes, Jones, John Keenan, Magee, May, Mitchell, John Moore, McLenore, Nisbit, C. A. Parker, Price, Reid, Ryan, Robeson, Sivley and Taylor—28.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Atkinson, Barron, Benners, Bradley, Bryers, Carlisle, Charlton, Cobb, Coleman, Cox, Cumming, Clarke, Chisolm, M. L. Davis, Dent, Donnell, Fannin, Franklin, Foster, Gardner, Greathouse, Head, Hollis, Holley, Howard, Howell, H. I. M. Kemmon, Kilpatrick, Lawler, Leeper, Lewis, Manasco, Modawell, John G. Moore, Morrow, Moulton, McAlexander, McCain, McInnis, McClelland, Malone, Ogbourne, Orr, E. S. C. Parker, Parish, Parsons, Scruggs, Seay, Sims, Sykes, Vansandt, Vincent, West, White and Williams—56.

Mr. Bethea moved to lay Mr. Cooper's amendment on the table.

Which was lost—yeas 42, nays 43.

Those who voted in the affirmative are, Messrs. Ashurst, Bell, Benners, Bethea, Brooks, Bryan, Bryers, Chambers, Chapman, Coleman, Cox, Dawson, Dent, Fannin, Franklin, Foster, Graves, Hanes, Hollis, Howard, Howell, J. Keenan, Kilpatrick, Lawler, Leeper, Magee, May, Mitchell, Modawell, J. Moore, Moulton, McInnis, Nisbit, Ogbourne, C. A. Parker, Parish, Price, Reid, Robeson, Taylor, West and Williams—12.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, Atkinson, Barron, Beard, Bradley, Carlisle, Charlton, Cooper, Cox, Cumming, Chisolm, J. W. Davis, M. L. Davis, Donnell, Ellis, Gafford, Gibson, Greathouse, Head, Hollis, Jones, H. I. M. Kemmon, Lewis, Manasco, J. G. Moore, Morrow, McAlexander, McCain, McClelland, McLenore, Malone, Orr, E. S. C. Parker, Parsons, Ryan, Scruggs, Seay, Sims, Sivley, Sykes, Vansandt, Vincent and White—43.

House adjourned till 9 o'clock to-morrow morning.

AUGUST 28, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Greathouse of the House.

Bills were introduced---

By Mr. Ogbourne, to pay hire for negroes in attendance on the General Assembly.

Which was read three times, forthwith, and passed.

The following Senate bills were read three times, forthwith, and passed.

For the relief of R. R. Pickering and James L. Terrell, as executors of John D. Catlin, deceased, late of Marengo county.

To authorize executors, administrators, guardians and trustees of the county of Russel to make publication in the newspaper published in Columbus, Ga.

Senate bill to provide salt for the indigent families of soldiers in the State of Alabama, and for other purposes ;

Was read twice forthwith.

Mr. M. L. Davis moved to amend by adding after the words "Confederate States" the words "or of the State of Alabama ;"

Which was adopted.

Mr. Modawell moved to strike out so much of section 1 as excludes the families of substitutes from the benefits of this act ;

Which was adopted.

The bill was read a third time and passed.

Senate bills—

In relation to persons sent to the penitentiary of Alabama from other States.

To increase the compensation for printing Supreme Court Reports.

Joint resolutions providing for the purchase of stationery and fuel.

Were severally read three times, forthwith, and passed.

Senate bill to prevent the distillation of potatoes and peas was read twice, when Mr. Manasco moved to lay it on the table.

Which was lost, and the bills were read a third time and passed.

Senate bills—

To amend Act to amend the Revenue Laws ;

To authorize the further issue of State Treasury Notes ;

Were severally read twice and referred to the committee on ways and means.

Senate bills—

To regulate the payment of taxes in certain cases ;

To protect the estates of decedents and others ;

Were severally read twice and referred to the judiciary committee.

Senate bill to provide for prosecuting and defending suits for persons of unsound mind ;

Was read twice and referred to the judiciary committee.

The joint resolutions of the General Assembly of the State of Alabama approving the official conduct of President Davis ;

In relation to the pay of the Confederate soldiers and the currency were read, and, on motion of Mr. Parsons, postponed until the bill to reorganize the militia shall be disposed of.

Message from the Governor, with accompanying documents.
Which was read and referred to the judiciary committee.

EXECUTIVE DEPARTMENT. }

MONTGOMERY, ALA. August 27th. 1863. }

Gentlemen of the House of Representatives :

In response to the resolution of the House, that the Governor be requested "to communicate to the House how many contracts he has entered into, and with what persons, for the distillation of grain, under the 'act to prohibit the distillation of grain, in the State of Alabama, except under the direction and authority of the Governor,'" approved December 8th, 1862, "and what amount of nett profits will probably result to the State during the present year under said contracts." I have the honor to submit herewith a copy of a proclamation issued by me on the 24th December, 1862, advertising the act mentioned, and the terms and conditions upon which contracts would be made, in behalf of the State, for medical supplies ; and announcing that no licenses for the distillation of grain would be granted for any other purposes.

Under the terms and conditions published, contracts have been made for 40,030 gallons of whisky, and 7746 gallons of alcohol. I communicate herewith a statement showing the names of the several contractors; the quantity to be delivered by each ; the price per gallon, and the place of delivery. I submit also a copy of a circular letter of instructions to the State agents for the receipt and sale of the spirits. All the contracts are, by their terms, to be completed during the present year, and their performance is guaranteed by sureties certified by the Probate Judges of the respective counties to be amply responsible. The prices paid by the State are \$2 50 per gallon for whisky and \$4 50 per gallon for alcohol. The prices at which the State agents are directed to sell are \$10 per gallon for whisky and \$15 per gallon for alcohol. From these data it will be seen that, if the contracts are duly performed by the close of the year, after deducting five per cent. commissions on gross amount of sales allowed to agents, there will be a nett profit resulting to the State of \$358,347 02, which, under the Act of the last session, is set apart for the benefit of the indigent families of soldiers.

In this connection, I deem it my duty to advise the House that many complaints have been, informally, communicated to the Executive that distillation of grain has been carried on

in different sections of the State in violation of law. In addition to the penalties now prescribed, the Governor, or Probate Judge, or other officer, should be vested with the power, and it should be made their duty, to promptly abate, by seizure, every distillery of grain which is put in operation in defiance and contempt of the law of the State. This remedy is demanded, not only in justice to those who have made contracts with the State upon such reasonable terms, but to preserve the supply of grain for home consumption and the use of the army, and protect the State in the profits which it proposes to derive from its licenses for the benefit of soldiers' families.

The Confederate tax imposed by Congress upon distilleries should be remitted on all contracts made with the State for medical supplies. These contracts were made by the contractors without a knowledge of this heavy Confederate tax; and most of the contracts were made before the tax-law was passed. I submit, if it would not be just and proper for the General assembly, in the name of the State of Alabama, to ask Congress a remission of this tax.

JOHN GILL SHORTER.

EXECUTIVE DEPARTMENT,

MONTGOMERY, ALA., August 27th, 1863. }

Gentlemen of the House of Representatives:

In response to the resolution requesting the Governor "to communicate to the House what amount of the appropriation made to purchase cotton cards has been expended, what number of pair of cards has been purchased, how distributed, and what the prospect is for a future supply," I have the honor to submit herewith a statement showing the amount of the appropriation which has been drawn from the treasury; also, a report from the Secretary of State, showing the number of pair of cards received at his office, and how the same have been distributed. These cards were procured abroad, through the house of John Frazer & Co., of Charleston, and imported from Nassau into the ports of Charleston and Wilmington. Copies of the correspondence with Fraser & Co., and copies of the invoices, showing costs and charges, are herewith submitted. I also submit to the House copies of propositions made by other parties to furnish several thousand pair of cards, which propositions were accepted but not complied with by the parties.

I also submit herewith a copy of a contract made in behalf of the State, on the 18th of March last, with Mr. J. M. Keep,

of Selma, for a half-interest in a card machine, invented by him, for the manufacture of cards; and a copy of his report, of the 24th instant, showing the present condition of the establishment for the manufacture of cards on joint account with the State. From this report it may reasonably be calculated that, after six weeks, the factory will turn out six to eight hundred pair of cards per week. A specimen of the cards now being made will be submitted for your inspection so soon as they can be received from the factory.

JOHN GILL SHORTER.

The above message was read and referred to the committee on ways and means, with accompanying documents.

Mr. Chambers moved to take up the Senate bill to re-organize the militia,

Which was carried.

Mr. Sykes moved to amend by adding at the end of section 3:

“Provided, That the persons composing the first class named in this act residing in the 1st, 2d and 3d Congressional Districts of the State be, and the same are hereby, exempted from the operation of this act; and that the persons comprising the second class mentioned in this act, and residing in the same Congressional Districts, shall be used exclusively for the defense of North Alabama, so long as imminent danger exists from the pressure or contiguity of the public enemy. Provided further, That nothing contained in this amendment shall prevent the enumeration of the persons in the first class.

Mr. Fannin called for a division of the question.

The House adopted the first branch but refused to adopt the second branch of the amendment.

Various amendments were offered, adopted and lost by the members of the House, and which cannot go upon the journal from the fact that the House ordered the bill forthwith to the Senate, the clerk not being able to record them, under an order of the House.

Yeas 70, nays 10.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Atkinson, Barron, Beard, Bell, Benners, Bethea, Bradley, Brooks, Bryan, Bryers, Chambers, Chapman, Carlisle, Charlton, Cooper, Cobb, Coleman, Cox, Chisholm, Dawson, Dent, Ellis, Fannin, Franklin, Foster, Gardner, Gibson, Greathouse, Hames, Hollis, Howard, Howell, Jones, John Keenan, H. I. M. Keenan, Kilpatrick, Leeper, Magee, Manasco, May, Mitchell, Modawell, John Moore, John G. Moore, Moulton, McAlexander, McCain, McInnis, McClell-

land, Nisbet, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parish, Parsons, Price, Reid, Ryan, Scruggs, Seay, Sivley, Taylor, West, Williams—69.

Those who voted in the negative are, Messrs. Cumming, Donnell, Gafford, Holley, Morrow, McLemore, Malone, Sims, Vanzandt, Vincent, White—11.

House adjourned until 4 P. M.

AFTERNOON SESSION.

AUGUST 28, 1863.

House met pursuant to adjournment.

Mr. Bethea moved to suspend Senate messages, to take the resolution reported by the committee on Confederate relations in relation to the employment of slaves in the service of the Confederate States,

Which was carried.

Mr. Clarke moved to lay the resolution on the table,
Which was lost.

Mr. Lawler moved to amend the resolution by striking out the words "military or soldiers" when they occur,

Which was adopted.

The resolution was then adopted—yeas 67, nays 13.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Atkinson, Barron, Beard, Bell, Bethea, Brooks, Bryan, Bradley, Chambers, Chapman, Charlton, Cooper, Cobb, Cumming, Chisholm, M. L. Davis, Dawson, Dent, Ellis, Fannin, Franklin, Foster, Gafford, Gardner, Gibson, Greathouse, Head, Hollis, Holley, Howell, Jones, John Keenan, H. I. M. Keenan, Kilpatrick, Lawler, Magee, Manasco, May, Modawell, John Moore, Moulton, McCain, McInnis, Malone, Nisbet, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parish, Parsons, Price, Reid, Robeson, Seay, Sims, Sivley, Sykes, Taylor, Vanzandt, Vincent, West, Williams—67.

Those who voted in the negative are, Messrs. Speaker, Benners, Carlisle, Cox, Clarke, Donnell, Hames, Howard, Leeper, Mitchell, John G. Moore, Ryan, White—13.

Mr. Benners, by leave, introduced joint resolutions as to publishing the Acts and Journals of the present General Assembly.

Which was read three times, forthwith, and passed.

Mr. Bethea introduced a bill to pay the Secretary of the Senate and Clerk of the House for services therein named,

Which was read three times, forthwith, and passed.

Mr. Parsons introduced a bill to authorize the Probate Court of Autauga county to grant letters of administration on the estate of A. B. Penick, late of St. Clair county,

Which was read three times, forthwith, and passed.

Leave of absence was granted to Mr. Cumming during the remainder of the present session on account of sickness.

House receded from its amendment to the Senate bill to provide salt for the indigent families of soldiers in the State of Alabama, and for other purposes.

House bill to repeal an Act to regulate the sale and exportation of corn, approved December 8, 1862, amended by the Senate, which amendment the House refused to concur in. The Senate insisted on its amendment, and asked for a committee of conference: Messrs. Rice, Reavis and Toulmin, the Senate Committee. The House agreed to the committee of conference, and Messrs. Vanzandt, Magee and Nisbit were appointed committee on the part of the House.

Joint resolutions of the General Assembly of the State of Alabama approving the official conduct of President Davis, &c., was considered and referred to the committee on Confederate relations.

House concurred in the amendment of the Senate to the House bill in relation to working on public roads.

House bill to contribute to the support of the indigent families of soldiers amended by the Senate. The Senate refuses to recede from its amendment.

On motion of Mr. Lawler, the House receded from its disagreement to the first amendment.

The House insisted on its non-concurrence in the third Senate amendment, and asked a committee of conference: Messrs. Lawler, Benners and Magee constitute the House committee.

Senate bill declaring who shall be exempt from militia duty was read twice.

Mr. Cooper moved to amend as follows:

All persons subject to military service in the State, or in the county reserves, who have charge of any family, other than their own, of any person actually engaged in the Confederate service, or who may have died, or become unable for labor in said service dependent in whole or in part upon his labor and services for support, shall be exempt from service in said militia and county reserves.

Pending the consideration of which, the House adjourned till 9 o'clock to-morrow morning.

AUGUST 29, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bell of the House.

Journal was read and approved.

On motion of Mr. Foster, the rule on local legislation was suspended to take up certain bills from the Senate.

Mr. Coleman moved to suspend the business before the House to allow him to introduce joint resolutions of the General Assembly instructing the Governor to appoint one or more suitable persons from each congressional district to address the people upon the state of public affairs.

Which motion was lost.

Senate bills—

For the relief of Wiley J. Coleman, of Choctaw county ;

For the benefit of the widow and children of Philip McGuire, deceased ;

To regulate the tolls of grist mills :

For the relief of Elen E. Robinson and Elizabeth Main :

Were severally read three times, forthwith, and passed.

Senate bill to compensate the commissioners of Choctaw county was read twice, when, on motion of Mr. M. L. Davis, the county of Marion was added, and the bill was read a third time and passed.

Mr. Reid, by leave, introduced a bill to authorize the Governor to appoint commissioners to examine the saline waters and salt fixtures of the State, and to report to the next General Assembly.

Which bill was read three times, forthwith, and passed, and ordered to the Senate.

Messrs. Modawell, Magee and Nisbit, from the committee of conference on the bill to repeal an Act to regulate the sale and transportation of corn, reported the same back to the House.

Which report was concurred in.

Mr. Parsons, by leave, introduced a bill to abolish the office of commissioner of public lands.

Which was read twice and referred to the committee on public lands.

Mr. Taylor introduced a bill to amend an Act incorporating the Direct Trade and Exchange Company, &c.:

Which was read three times, forthwith, and passed.

Senate joint resolutions in relation to the army of the Confederate States were read and adopted.

Senate bill declaring who shall be exempt from militia duty was taken up, the question being on the amendment of Mr. Cooper, offered yesterday:

Which was lost.

Various amendments were offered, but which it was impossible to put on the journal from the fact that the bill was read a third time and passed, and ordered *immediately* to the Senate.

Mr. Dawson, from the judiciary committee, reported favorably to the Senate bill to provide for prosecuting and defending suits of persons of unsound mind.

Which bill was read a third time and passed.

Senate bill to aid the Confederate Government in arresting deserters and for other purposes was read twice, when, on motion of Mr. Parsons, it was referred to the judiciary committee—yeas 34, nays 32.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, G. W. Ashe, Atkinson, Barron, Carlisle, Cobb, Cox, Clarke, Chisholm, M. L. Davis, Gardner, Greathouse, Hollis, Holley, Lawler, Lewis, Manasco, Mitchell, John G. Moore, Morrow, Moulton, McAlexander, McCain, McClelland, Orr, C. A. Parker, E. S. C. Parker, Parsons, Robeson, Seay, Sykes, Vanzandt and West—34.

Those who voted in the negative are, Messrs. Ashurst, Bell, Bethca, Bradley, Bryan, Chambers, Chapman, Coleman, Dawson, Donnell, Ellis, Fannin, Franklin, Foster, Graves, Gibson, Hames, H. I. M. Keenan, Kilpatrick, Magee, May, Modawell, John Moore, McInnis, Nisbet, Ogbourne, Parish, Price, Reid, Scruggs, Taylor and Williams—32.

House adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

AUGUST 29th, 1863.

House met pursuant to adjournment.

Mr. Gibson, from the committee on public lands, reported adversely to the bill to amend an Act to increase the price of certain public lands, &c.:

Which report was concurred in.

Senate bill to regulate the payment of taxes in certain cases was taken up on motion of Mr. Chambers. The bill was amended and indefinitely postponed on motion of Mr. Sykes—yeas 34, nays 29.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bemers, Chapman, Carlisle, Charlton, Cobb, Clarke, M. L. Davis, Dent, Donnell, Gibson, Greathouse, Head, Holley, Howard, Leeper, Magee, Mitchell, John Moore, John G. Moore, Morrow, McCain, McClelland, Malone, E. S. C. Parker, Scruggs, Sims, Sykes, Vanzandt, West and White—34.

Those who voted in the negative are, Messrs. Speaker, Bell, Brooks, Bryers, Chambers, Coleman, Cox, Dawson, Ellis, Fannin, Franklin, Gafford, Gardner, Graves, Howell, Jones, John Keenan, H. I. M. Keenan, Kilpatrick, Lawler, Lewis, May, Modawell, Moulton, McInnis, Ogbourne, C. A. Parker, Price, Reid and Ryan—29.

The House receded from its amendment to the bill from the Senate declaring who should be exempt from military duty.

Senate bill to provide compensation to the door keepers and other officers therein named, at the present session.

Was read three times, forthwith, and passed.

House refused to concur in the amendments of the Senate to the House bill to amend the revenue laws of this State.

Senate bill for the relief of securities who have paid money for their principals,

Was read three times, forthwith, and passed.

Senate bill to authorize judges of probate to impress provisions in certain cases,

Was read three times, forthwith, and passed.

House bill to provide for the printing and distributing of the Acts of the General Assembly.

Was read three times, forthwith, and passed.

Mr. Benners offered the following resolutions which were adopted unanimously :

Resolved, That the thanks of this House are hereby tendered to the Hon. Walter H. Crenshaw, for the able, dignified and impartial manner in which he has discharged the duties of presiding officer during the present session of this General Assembly.

Resolved further, That the thanks of this House are also tendered to the principal clerk, assistant clerk, door keepers and messengers, for the faithful manner in which they have discharged their respective duties.

Mr. Parsons, from the judiciary committee, reported favorably, with amendments, to the Senate bill to aid the Confederate Government in arresting deserters, &c.,

Which amendments were adopted, the bill read a third time, and passed.

Mr. Parsons moved that the clerk withdraw from the Senate the bill declaring who shall be exempt from militia duty,

Which was carried.

Said bill was returned to the House by the assistant secretary.

When various motions were reconsidered, to wit: the vote passing the bill, the vote ordering it to a third reading.

The bill was then amended by striking out all after the word "Class," in the 8th line of section 2.

The bill was then read a third time, forthwith, and passed.

The Senate refused to concur in the amendment of the House to said bill, and asked for a committee of conference. Messrs. Benmers, Parsons and Moulton were appointed on the part of the House.

Mr. Gibson offered the following resolution which was adopted :

Resolved, That a committee of three be appointed to act with a like committee from the Senate, to wait upon the Governor and inform him that the two Houses have finished the business before them and are now ready to adjourn, unless he has further communication to lay before them.

Messrs. Gibson, Chambers and Hames, compose the House committee.

Mr. Chambers moved to take from the table the resolution to print 1000 copies of the Rev. Mr. Tichenor's sermon on the 21st instant,

Which was carried, and the resolution was then adopted.

Mr. Benmers, from the committee of conference on the bill declaring who shall be exempt from militia duty, reported that the committee had agreed upon the House amendments.

Which report was concurred in.

Mr. Moulton, from the committee of conference on the bill to aid the Confederate Government in arresting deserters, &c., reported, that the committee had agreed upon the House amendments,

Which report was concurred in.

Mr. Chapman, from the committee on enrolled bills, reported as correctly enrolled, the following bills :

To authorize the probate court of Autauga county, to grant letters of administration on the estate of A. B. Penick, deceased, late of St. Clare county;

To pay the secretary of the Senate and the clerk of the House for services therein named;

Making appropriations to pay Joel White and B. B. Davis for Stationery, and to pay M. M. Nall, &c.;

To amend an act incorporating the Alabama direct trade and exchange company, &c.

Message from the Governor, by Mr. Taylor, private secretary.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives :

An act to amend an act to provide for the reorganization of the State penitentiary.

An act to fix the pay of the members and officers of the General Assembly.

An act to pay the hire of servants for the General Assembly during the present session.

An act to pay the secretary of the Senate and Clerk of the House, &c.

An act for the relief of the gas light company of Selma, &c.

An act to divorce Moses Jones from his wife Sarah Ann Jones.

An act to divorce Lemons Box from his wife Rutha Box.

An act to require persons to pay taxes on property in the county where located, in certain cases.

An act to prevent the distillation of molasses and sugar.

An act to increase the fees of jailors for victualing prisoners.

An act for the relief of P. M. Frazier and P. A. Brandon.

Joint resolution instructing our Senators and requesting our Representatives in Congress to procure the passage of a law paying for horses lost in the war.

Joint resolutions to equalize taxation for the support of indigent families of soldiers, and to support the same by the State.

House adjourned till $\frac{1}{4}$ to 10, P. M.

NIGHT SESSION.

House met pursuant to adjournment.

Mr. Chambers from the joint committee to wait upon the Governor, reported, that the Governor had no further communication to make to the two Houses.

When the Speaker arose and returned thanks for the compliment of the House, bade the House farewell, and announced it adjourned *sine die*.

WALTER H. CRENSHAW,
Speaker of the House of Representatives.

Attest

ALBERT ELMORE,
Principal Clerk of the House of Representatives.

REGULAR SESSION.

MONTGOMEEY, ALABAMA, }
November 9, 1863. }

Be it remembered, that on this day, the 9th day of November, 1863, the same being the 2d Monday of said month, the day appointed by the Constitution for the meeting of the General Assembly, the following proceedings were had :

The House was called to order by Mr. Speaker Crenshaw. The roll was called, and the following members answered to their names :

Messrs. Speaker Crenshaw, G. W. Ashe, Atkinson, Barron, Bell, Benners, Bethea, Bishop, Bradley, Bryan, Bryers, Chambers, Chapman, Carlisle, Charlton, Cooper, Coleman, Cox, M. L. Davis, Dawson, Ellis, Franklin, Foster, Gafford, Gardner, Graves, Gibson, Greathouse, Hollis, Holly, Howard, Howell, Jones, J. Keenan, Kilpatrick, Lawler, Leeper, Magee, Manasco, May, Modawell, J. Moore, J. G. Moore, Moulton, McCain, McInnis, Ogbourne, Orr, C. A. Parker, Parish, Parsons, Price, Seay, Sims, Taylor, Vanzandt, West and Williams—59.

Messrs. Towles, Brodnax, and Ashe of Washington, appeared within the Hall of the House, were qualified by Judge J. T. Heflin, and took their seats.

Mr. Speaker then stated that inasmuch as doubts were entertained by some that the organization of the House at the called session only continued during that session, he would not presume to preside over the body without a re-organization, and vacated the chair.

Whereupon Mr. Chambers, of Barbour, was called to the chair.

Mr. Dawson offered the following resolution; which was adopted :

WHEREAS, doubts exist as to whether the officers elected at the called session, legally hold their offices at the ensuing regular session,

Resolved, That it is the sense of this House that the offices of the House be filled by election at this session.

Mr. Chambers in the chair.

Mr. Dawson placed in nomination for speaker the name of Hon. Walter H. Crenshaw, of Butler county; who being alone in nomination, and having received all the votes given, was declared duly and constitutionally elected Speaker for the present term.

On motion of Mr. Cooper, a committee of three was appointed to wait upon and inform Mr. Crenshaw of his election as Speaker:

Messrs. Cooper, Price and Bethea were appointed said committee.

Mr. Crenshaw was then qualified by Mr. Cooper, and took his seat.

The House then proceeded to the election of Principal Clerk.

Mr. Bethea placed in nomination the name of Albert Elmore, of Montgomery; who being alone in nomination, and having received all the votes given, was declared duly and constitutionally elected Clerk for this term, was qualified, and entered upon his duties.

The House then proceeded to the election of Assistant Clerk.

Mr. Chapman placed in nomination the name of Alexander B. Clitherall; who alone being in nomination, and having received the whole number of votes given, was declared duly and constitutionally elected Assistant Clerk for the present term, was duly qualified, and entered upon his duties.

The House then proceeded to the election of Engrossing Clerk.

Mr. Dawson placed in nomination the name of Ferrie Henshaw.

Mr. Carlisle placed in nomination the name of Henry Clark.

Those who voted for Mr. Henshaw are, Messrs. Speaker, Armstrong, G. W. Ashe, B. Ashe, Atkinson, Barron, Bell, Beners, Bethea, Bishop, Bradley, Brandan, Bryan, Bryers, Chambers, Chapman, Charlton, Cooper, Coleman, M. L. Davis, Dawson, Ellis, Foster, Gafford, Gardner, Graves, Gibson, Great-house, Hollis, Holley, Howard, Howell, Jones, John Keenan, Kilpatrick, Lawler, Leeper, Manasco, Modawell, John Moore, John G. Moore, Moulton, McCain, McInnis, Ogbourne, Orr, C. A. Parker, Parsons, Price, Taylor, Towles, Vanzandt, West and Williams—54,

Those who voted for Mr. Clark are, Messrs. Carlisle, Cox, Parish and Seay—4

Mr. Henshaw having received a majority of the whole number of votes given, was declared duly and constitutionally elected Engrossing Clerk for the term prescribed by the Constitution.

The House then proceeded to the election of Door Keeper.

Mr. Ogbourne placed in nomination the name of M. M. Nall.

Mr. Ellis placed in nomination the name of Mr. Brundidge.

Those who voted for Mr. Nall are, Messrs. Speaker, Armstrong, J. S. Ashe, Barron, Bell, Bethea, Bishop, Brandan, Bryan, Chambers, Chapman, Carlisle, Cox, M. L. Davis, Dawson, Franklin, Gafford, Graves, Greathouse, Hollis, Holley, Howard, Howell, Jones, John Keenan, Lawler, Leeper, Magee, May, John G. Moore, Moulton, McInnis, Ogbourne, Parish, Parsons, Sims, Taylor, Towles, Vanzandt and West.—38.

Those who voted for Mr. Brundidge are, Messrs. G. W. Ashe, Atkinson, Bryers, Charlton, Coleman, Ellis, Foster, Gardner, Gibson, Manasco, Modawell, John Moore, McCain, C. A. Parker, Price, Seay and Williams—17.

Mr. Nall having received a majority of the whole number of votes given, was declared duly and constitutionally elected Door Keeper for the term prescribed by the Constitution.

Mr. Price offered the following resolution, which was adopted :

Resolved, That the chair appoint the following committees : On Military Affairs, Judiciary, Confederate Relations, Ways and Means, Internal Improvements, Banks and Banking, Education, University, 16th Section, Public Lands, Manufactures, Local Legislation, Corporations, Insane Asylum, State Bank and Branches, Enrolled Bills, State Printing, Salt Supply, Propositions and Grievances, Accounts and Claims, Privileges and Elections, Agriculture, Retrenchment, Penitentiary, Roads, Bridges and Ferries, State Capitol and County Boundaries.

Mr. Ellis offered the following resolution, which was adopted :

Resolved, That the clerk inform the Senate that the House of Representatives has organized by electing W. H. Crenshaw, Speaker ; Albert Elmore, Principal Clerk ; A. B. Clitherrall, Assistant Clerk ; F. Henshaw, Engrossing Clerk ; M. M. Nall, Door Keeper ; and are now ready to proceed to business.

Message from the Senate.

Mr. Speaker :

The Senate has adopted the following resolution :

Resolved, That the House of Representatives be informed that the Senate has organized by the election of Hon. T. A. Walker, President : Micah-Taul, Secretary ; J. P. Morgan,

Assistant Secretary ; and W. McCullough, Door Keeper ; and that the Senate has appointed a committee of three, consisting of Messrs. Rice, Hammond and Garrett to act with a like committee on the part of the House, to wait upon the Governor and inform him that the two Houses are organized and are ready to receive any communication he may have to lay before them.

House concurred in said resolution, and appointed Messrs. Bethea, Chambers and Ellis said committee on the part of the House.

Mr. Benners offered the following resolution, which was adopted :

Resolved, That the rules of the last session of the General Assembly shall apply to and govern the present General Assembly.

Mr. Orr presented the returns of an election held in Franklin county, to fill a vacancy to the General Assembly occasioned by the death of Mr. Oates ;

Said petition was referred to the committee on Privileges and Elections when raised.

Mr. Bethea, from the joint committee to wait upon the Governor, reported that the Governor would send a communication to the House immediately.

Message from the Senate.

SENATE, November 9, 1863.

Mr. Speaker :

The Senate has adopted the following resolution :

Resolved, That a committee of three be appointed by the Senate, to act with a like committee on the part of the House, to wait on the clergy of the city to request their attendance to open the sessions of the two Houses of the General Assembly by prayer ; Messrs. Groce, Hill and Peacock committee on the part of the Senate.

M. TAUL, *Sec'y.*

Said resolution was concurred in by the House and Messrs. Bell, Greathouse and C. A. Parker, were appointed House committee.

Mr. Modawell offered the following resolution :

Resolved, That the clerk of this House be authorized to appoint the messengers, at a price not to exceed \$2 50 per diem.

Mr. Cooper moved to lay the resolution on the table.

Which was lost.

Mr. C. A. Parker moved to strike out "2" and insert "1,"

Which was adopted. The resolution, as amended, was then adopted.

Message from the Governor, by his private secretary, John B. Taylor.

EXECUTIVE DEPARTMENT,
MONTGOMERY, ALA., November 9th, 1863. }

Gentlemen of the Senate and House of Representatives :

I congratulate you that, amid the calamities which have befallen other States, the General Assembly have been permitted again to convene in annual session at the Capitol of Alabama, and, undisturbed by the enemy, to discharge their high duty as law-makers for the people. Though threatened by an implacable foe, who has ravaged portions of our territory in a vain attempt at our subjugation, we should feel profoundly grateful to God for the immunities which, as a State, we have thus far enjoyed, and invoking His continued protection, should gather new courage and resolution to maintain our confederate cause, until we shall have achieved a final and complete independence.

STATE TREASURY.

The balance in the Treasury to the credit of the Civil Department, at the close of the fiscal year, ending on the 30th September, 1862, was.....\$ 387,358 20
 The receipt during the past year, from all sources,
 have been..... 5,924,542 98

Making an aggregate of\$6,311,901 18
 The disbursements during the past year have
 amounted to..... 3,897,349 32

Leaving a balance of.....\$2,414,551 86
 to the credit of this Department at the close of the fiscal year,
 ending on the 30th September, 1863.

The balance to the credit of the Military Department, at the close of the fiscal year ending on the 30th September, 1862, was.....\$ 458,826 74
 The receipts during the past year, from all
 sources, have been..... 1,878,413 43

Making an aggregate of.....\$2,037,240 17
 The disbursements during the past year have
 been..... 1,884,910 05

Leaving a balance of.....\$ 152,330 12
 to the credit of this Department, at the close of the fiscal year,
 ending on the 30th September, 1863.

The quantity of change bills issued by the State, and presented at the Treasury for redemption, adds greatly to the work in the Treasurer's office. The examination and count-

ing of the bills require much time and labor, and to perform this task an additional clerk should be allowed. Many of the bills returned are so mutilated that they are unfit for further use, and the number will be constantly increasing. A suitable safe should be ordered for their preservation, or they should be registered and burned.

For particular information as to the operations of the Treasury, you are referred to the full and satisfactory report of the Comptroller and Treasurer.

MILITARY APPROPRIATIONS.

The unexpected balance of Military appropriations remaining in the Treasury amount to the sum of \$3,633,117 27. Some of these will never be needed for the particular objects named in the several acts, and for this reason, as well as to simplify the accounts in the office of the Military Auditor, and to provide against a possible exhaustion of the sum appropriated for any special and needful purpose, I recommend that all the unexpended balance of military appropriations be consolidated into one military fund, and that the Governor be authorized to draw his warrant upon the Auditor, specifying in the warrant the purpose of the draft, and directing that the amount be charged to the Quartermaster, Commissary, Pay, Ordnance or Medical Department, as the occasions may require. This arrangement will dispense with the necessity of making special appropriations to Hospitals or other purposes which may not be needed, or which may prove insufficient, leaving the Governor the discretion and power to make due provision by warrants on the general military fund as the public welfare may require. It is believed also that if all the expended balance are consolidated there will be no necessity for further appropriations for military purposes during the next year.

REPORTS OF THE COMMISSIONERS TO EXAMINE STATE OFFICES AND CHARTERED BANKS.

The General Assembly, at its last annual session, directed the Governor to appoint three commissioners to examine the books, accounts and vouchers of the Comptroller, Treasurer and Superintendent of Education, Quartermaster and Military Auditor. Under this authority I appointed S. D. Hubbard, A. R. Bell and Thomas B. Maddox, who have discharged the duty assigned them. Their report is herewith communicated, certifying the correctness of the financial accounts of all these officers, and advising that "their books and papers are regularly, systematically and well kept." Your attention is invited to the large number of interest coupons which have been paid by the State, and remain on file in the office of the Comptroller.

and to the recommendation of the commissioners, in which I concur, that these coupons should be defaced or destroyed.

Commissioners have been likewise appointed to examine and report the condition of the various chartered Banks within the State, as directed by their respective charters. The several reports of these commissioners, excepting those appointed to examine the Northern Bank, have been received, and are herewith submitted for your examination.

THE CONFEDERATE WAR TAX FOR 1861-2.

The portion of the war tax which might be found due by the people of Alabama under the Act of the Confederate Congress of August 19th, 1861, was assumed for the State by the General Assembly, by an Act approved Nov. 29th, 1861. In the Spring of 1862, when, under the provisions of the law of Congress, the advance payment had to be made, the assessments had not been completed throughout the State, and for this cause the aggregate amount of the tax could not be ascertained.

It was estimated, however, that \$2,000,000 would cover it, and by agreement with the Secretary of the Treasury the amount was paid by the State, subject to correction when the assessment should be completed. Owing to local disturbances occasioned by the public enemy, the returns of assessments for the counties of Winston, Lawrence and Franklin have not yet been received at the office of the State Collector. The aggregate assessments, exclusive of these counties amount to \$2,298,297 47—a sum larger than was anticipated. By the provisions of the Act of Congress, the State is entitled to a credit of ten per cent. on the amount of the tax, which will still leave a balance of near \$100,000 to be paid by the State on the final settlement of the account.

INDIGENT FAMILIES OF SOLDIERS.

At your extra Session in August last an appropriation was made of \$1,000,000 for the support of indigent families of soldiers, to be paid out during the months of October, November and December, but the General Assembly omitted to provide the funds to meet this appropriation. The Treasurer, under the Executive sanction and advice, has, however, undertaken to pay the first instalment from balances in the Treasury of other and former appropriations, which it was believed would not be called for before due provision could be made. It will become your duty at the present session to make further appropriations for soldiers' families during the next year, and to determine the mode of raising the means to meet them. Whether a resort shall be had to further sales of State bonds, or issue of treasury notes, or to increase of taxes, is a question submitted to the wise discretion of the General Assembly.

IMPRESSMENTS FOR THE PUBLIC DEFENSE.

Under the Act of October 31st, 1862, "To provide for the public defense," a large number of tools, wagons, teams and slaves were impressed to construct works for public defense in North and South Alabama. The execution of this law was entrusted to agents commended for their intelligence, firmness and impartial will, and they were instructed to use every reasonable precaution to distribute its burdens with fairness and equity. Though many complaints have been urged against the assessments, I entertain no doubt that the assessment agents have, in most instances, performed their duty as faithfully as could have been expected of men charged with the execution of such a difficult and thankless office. A portion of the property impressed was employed under the immediate direction of the State authorities, upon the Alabama and Tombigbee rivers, and for the use of all thus employed, settlements have been made by the State. All other property impressed was taken on requisition of the Confederate military commanders within the State, and turned over to the Confederate Engineer department, to be employed under its superintendence and direction. Every provision in the power of the Executive was made to secure the health and humane treatment of the slaves, and for the prompt discharge and return of the slaves and other property to their owners. But the irregularity of discharges, the loss, and the detention of property beyond the time limited for its return in the Executive order, the failure to give needful attention to slaves when sick, and the manifest inaccuracy of the pay rolls as reported by the Engineer Department, have occasioned much dissatisfaction. This is to be regretted, as it is a matter of the first importance that the Confederate authorities within the State should so discharge their obligations to the people as not to impair but to secure the public confidence. The Quartermaster-General has been directed to adjust the accounts with the Engineer department for all the property impressed under the State law, and by reference to the receipts of the State impressment agents, to correct the pay rolls, and settle with owners as justly as possible.

No provision was made in the State impressment Act to pay for mules or slaves impressed, and which may have been lost to their owners, without any neglect or fault of their owners. The State Constitution forbids that "*any person's property be taken or applied to public use, unless just compensation be made therefor.*" Tools, wagons, mules, negroes and provisions have all been impressed as property, under the law of the State, and have been applied to the public use; where the property

has been returned, "just compensation" to the owner is a fair equivalent for its temporary use. If the property has been consumed, or destroyed, or lost, in consequence of its appropriation to the public use, and without any dereliction or fault of the owner, "just compensation" can be nothing less than its fair equivalent in value.

The Constitution of the Confederate States also forbids that "*private property be taken for public use without just compensation.*" Hence the Confederate Congress, in the 8th section of the Impressment Act of March 26th, 1863; have provided that "when property has been impressed for temporary use, and is lost or destroyed without the default of the owner, the Government of the Confederate States shall pay a just compensation therefor, to be ascertained by appraisers appointed and qualified as provided in the first section of this Act. If such property, when returned, has, in the opinion of the owner, been injured while in the public use, the damage thereby sustained shall be determined in the manner described in the third section of this Act." And for the proper execution of this Impressment Act of Congress, a "General Order No. 138," was issued by the War Department, dated October 24th, 1863, which directs that "the value of all such slaves as may die during their term of service or thereafter, from injuries received or diseases contracted in such service, or may not be returned, shall be paid by the Confederate States. * * * Compensation shall also be made for all injuries to slaves arising from the act of the public enemy, or from any injury arising from a want of due diligence on the part of authorities of the the Confederate States. But the Confederate States will not be liable for any slave not returned by reason of fraud or collusion on the part of the owner or his agent, or the overseer selected by him to superintend them, nor if his death should be caused by the act of God, or by disease existing when the slave is received by Confederate authorities." The order further directs how the valuation and appraisal shall be made.

In the construction of the extensive and magnificent works erected for the defense of the State, and which, in the opinion of those best calculated to pronounce judgment upon them, are equal, if not superior to any within the Confederacy, not less than twelve or fifteen thousand slaves have been employed, besides a very large number of wagons and teams. That losses of property would have occurred from diseases contracted while in the public service, and from casualties almost inseparable from the nature of its employment, might have been reasonably anticipated. Shall these losses be visited upon the individual owners of the property thus used, when it was seized by the

public law and appropriated for the common protection and defense of the whole State? The Constitution—State and Confederate—answers the question. The Confederate Government has not only recognized but is striving to perform the obligation imposed by it. This obligation is equally binding upon the State Government of Alabama, and whether the liability it imposes be small or great, the mandate of the Constitution should be obeyed. It should never be recorded in history that, while the reserved rights of the people were maintained by the Confederate Government—the mere creature of the States—they were abjured and repudiated by the State Governments, which were primarily bound to respect and vindicate them.

The principal loss of property has been during its employment by the Confederate Government, and in consequence of such employment, and that Government is in good faith bound to make “just compensation,” for, although the property was impressed under the law of the State, the impressment was enforced to meet the requisition upon the State by the Confederate military commanders within its limits. Those losses which occurred prior to the passage of the impressment Act of Congress, of March 26, 1863, and more certainly those which have occurred since that date, and while the property was in the employment of the Confederate Government, fall within the spirit and plain intent of that act. But they cannot now be settled under the instructions given in the “General Order No. 138,” from the War Department. It cannot be doubted, however, that the Confederate Government will make due provision for their payment, and also refund to the State whatever sum it may advance for such other losses as may have occurred in the construction of military defenses under State direction.

The adjustment of these losses by citizens of Alabama of their private property taken and applied to the public use, is submitted for your determination. Should the General Assembly decline, in the present emergency, to make further provision for their settlement, I recommend the appointment of one or more commissioners, with authority to audit and receive proof of all claims which may be presented, verifying the same as directed by the Act of Congress of August 30th, 1861. “To perpetuate testimony,” so that the evidence of the same may be preserved for future consideration and adjustment by the State or the Confederate Government.

MILITIA.

As required by the Act of August 29th, 1863, “To reorganize the militia of the State of Alabama,” immediately upon

the adjournment of the extra session of the General Assembly I appointed a Special Aid in each county in the State, and forwarded to each, through the Adjutant General, a printed copy of the Act, and full instructions as to their duties under it. Partial returns only of the enumerations have been as yet received, and for this reason it is not possible to report accurately the number of the State militia embraced in class number two, nor the number of the County Reserves to be enumerated in class number one. The returns, however, which have been made, indicate that a very large proportion of class number two is composed of those who have been discharged from Confederate service by reason of substitution. The decision of the Executive, heretofore announced, that this class of citizens was liable to militia duty, upon the call of the President of the Confederate States, has been fully sustained by an adjudication of the question before the Supreme Court of the State, made since your adjournment, and which received the unanimous concurrence of all the judges.

The practical experience afforded by the enumeration under the Act, and a more careful examination of its provisions, have developed defects which I deem it proper to call to your attention, and which, in my judgment, should be remedied, in order to attain the important objects contemplated by a reorganization of the militia. One of these defects is to be found in the organization provided by the fourth section of the Act. Under the former system the militia was distributed into divisions, brigades, regiments, battalions and companies, with the commissioned and non-commissioned officers assigned to each subdivision, whom experience had shown to be necessary to reach the highest degree of efficiency. It was uniform throughout the State in all its essentials, and corresponded in its general details with that of the militia of the other States, as well as the armies of the Confederacy. This organization is destroyed by the Act of the last session, so far as it relates to the militia proper, as distinguished from volunteer companies, except in the case of a call by the President for the militia for Confederate service; and in its place is substituted an entirely different organization, which, however well adapted it may be for some of the purposes for which small bodies of militia may be needed, will, it is to be feared, be found inadequate to oppose successfully the dangers we have reason to apprehend, and against which it is our first duty to provide. This organization secures nothing approaching uniformity, even in commands of the same grade. Under its operation, an officer in one county designated and commissioned as Colonel, with a command of more than six hundred, and

with every officer he is entitled to under the Act, may have no Lieutenant Colonel, Major or Captain; while in an adjacent county, a Lieutenant Colonel, with a smaller command, may have two Majors and a Captain. These may be extreme cases, but judging from the returns received, it may be safely assumed that the commands of field officers, or even of Captains, will rarely correspond in the number and grade of their inferior officers. It will be readily perceived that this want of uniformity, in cases where the militia of several counties might be acting together, would present insuperable obstacles to their efficiency. Even with the county reserves, whose services are limited to the confines of their respective counties, this deficiency or excess in the higher or lower grade of offices might be severely felt, whenever they were arrayed against well organized and trained troops, while in the case of the militia, acting in the State service, in larger bodies, and upon a more extended field of operations, it would be only the more clearly seen, and might occasion calamitous results.

Another defect in the Act is found in the fourth section, which, while it requires all officers of the same class in a county to be elected on the same day, gives no direction by which the relative rank of officers of the same grade, and whose commissions bear the same date, shall be determined. In the transmission and execution of orders, and indeed in every department of military service, it is essential to subordination and discipline that the relative rank of the officers, acting together with one common object, and in the same arm of the service, should be clearly and accurately defined. It may be, that in the absence of any law to determine these questions, the commander-in-chief would possess the authority, but the doubts which exist as to his power in this particular, suggest the propriety of expressly conferring it upon him, or of adopting by legislation, some equitable rule admitting of general application.

I call your attention also to the provisions contained in the 9th section of the Act. This section directs that whenever a requisition for the militia shall be made upon the Governor by the president of the Confederate States, "the Governor shall apportion the number of militia required, among the different counties, in proportion to the enumerated militia therein, and make a requisition therefor upon the several county commanders of the State militia." If this provision is to be literally construed, it will be impossible to take the first step towards meeting a requisition until the returns from every county in the State shall have been received. No apportionment can be made in any county until the returns shall have been received

from all. If, from the invasion of the enemy, or any other cause, the enumeration cannot be made in any one county, so long as the cause, whatever it may be, exists, the requisition is defeated, and the obligations of the Confederate Constitution practically denied. The only means, by which the Executive of the State is authorized to enforce these obligations, cease at the moment when the exigency most requires their ready operation. The power conferred by the States upon Congress to provide for calling forth the militia is a vital power. It was given to preserve the public safety, and while, as a general rule, the principle of distributing burthens of this character as equally as may be upon the arms-bearing population is a just one, there are cases continually arising, in a war like the present, in which the application of the rule would defeat the very object which the power was designed to secure. It might not always be possible to raise the force required by taking its due proportion from every county in the State in time to meet the exigency for which it was demanded. It might not always be expedient to do so in every instance. The number of troops required, and the exposed condition of certain portions of the State, as is now the case, might call for a just and sound discrimination. True policy and wisdom would seem to dictate that the means to be employed in the exercise of the power should be as comprehensive as the dangers it was its purpose to repel, and that the power should be executed so as best to accomplish the great ends for which it was conferred. These can be best attained, not by adopting a fixed and rigid rule, extending over the area of the entire State, without reference to the number of troops required, or the imminency of the peril, but by referring to the discretion of the State Executive, as the commander-in-chief of the militia, the adoption of that mode which, in the particular emergency, might be found most practicable and judicious.

I press these considerations the more for the reason that, while other States have long since responded to the call which was made upon them by the President, in the month of June last, Alabama, from the inefficiency of her militia system, has as yet given no answer to that call, and has, for the first time since the commencement of the war, failed to respond promptly to the demand made upon her in support of the common cause. Her constitutional obligations, her interests and her honor demand that this requisition shall be met, and met without delay, and her ability to meet it, without materially impairing her resources in other directions, is demonstrated by the returns of the enumerations which have been already made.

It was scarcely to be expected that in the first attempt to reorganize and simplify a deranged and complicated system, grave errors would not have been committed; and longer experience in the practical workings of the Act may discover other than those which I have thought proper to bring to your notice, and which, if corrected by the necessary amendments, will, it is believed, impart to the new system as much vigor and efficiency as the material upon which it is to operate will allow.

SALT.

At the last regular session of the General Assembly two acts were passed to increase the supply of salt, numbered 38 and 39, and severally approved Dec. 19th, 1862. Act number 38 ratified and confirmed all contracts which had been previously made by the Executive for the purchase, manufacture and transportation of salt, authorized him to make other contracts, and to continue the manufacture of salt upon the salt lands of the State, to appoint a salt commissioner to superintend the works, and fix his compensation at not exceeding \$2,500. The fourth section of this act directed the distribution of the salt manufactured or purchased, and its sale "*to the inhabitants of this State at prices not to exceed the cost of manufacture or purchase, and sacking, with other incidental expenses added.*" Under the authority of this act, A. G. McGehee, who, under the Executive appointment, had inaugurated the State salt works, was continued as commissioner, and his salary fixed at \$2,500. The act number 39 authorized an additional advance of \$10,000 to John P. Figh, lessee of the lower salt reservation, to enable him to increase the production of salt, and change the terms of his prior lease, removing all restrictions upon him as to prices, on condition that he should relinquish the bonus of ten cents per bushel allowed by the act of Nov. 11th, 1861, and deliver to the State, at the place of manufacture, two-fifths of all the salt to be thereafter manufactured by him. These terms were duly accepted by the lessee, and the advance of \$10,000 was paid him as provided by the act.

The fifth section of the act directed "That the Governor shall cause the salt he may receive under this act from said lessee, John P. Figh, or from any other lessee of this State, to be distributed among the counties according to their population; the salt for each county to be placed under the control of its court of county commissioners, who shall distribute the same among the citizens of the county, according to their actual wants, giving a preference to families of soldiers in the military service of this State or of the Confederate States; and

the Governor shall only charge such price for the salt thus distributed as he deems just and fair."

The distribution and sale of the salt manufactured by the State, as well as the portion received from John P. Figh and other lessees, were committed to the superintendence of the Quartermaster General at Mobile. An agent was appointed to reside at the works to ship the salt received from the lessees, and the price of this salt was fixed by me at two dollars and fifty cents per bushel of fifty pounds, delivered in the various counties to the order of the county commissioner. Copies of letters of instruction to the Salt Commissioner, the Quartermaster General, county agents, Probate Judges and John P. Figh, herewith submitted, will fully explain the plans of salt distribution under the several acts of the General Assembly. I also submit the report of the Salt Commissioner, giving in detail the operations of the salt works under his direction.

By the contracts made in 1862, with McClung & Jaques and the Alabama Salt Manufacturing Co., for the delivery of salt at Saltville, Va., the price was fixed at \$1 75 per bushel. During the last spring I was notified by the contractors that, on account of the increased price of wood, which had advanced from \$5 per cord at the date of their contract to \$20 and \$30 per cord, and the advance in like proportion of provisions and other supplies needed to carry on their works, they would not be able to manufacture the salt at their contract price. Satisfied on examination of the facts that the contractors were acting in good faith, and that the State would lose the benefit of a supply of salt from this source for the North Alabama counties, unless the price was raised so as to induce a continuance of the supply, I made a new contract with the companies by which they were to receive \$3 50 per bushel, copies of which contracts are herewith communicated.

Owing to the interruption by the enemy of our railroad connections with Saltville, and to the monopoly of transportation by the Confederate Government while the connections were complete, the shipments of salt from that locality have been very irregular and greatly delayed. Agents of transportation have been sent upon the line to attend the shipments and forward them with all possible dispatch, but it has been with the greatest difficulty that they have succeeded in getting through the supplies which have reached the North Alabama counties.

During the last spring I sent an agent to New Iberia, in the State of Louisiana, to negotiate for salt at that locality. He succeeded in procuring and bringing into the State 3,000 bushels of rock salt. Favorable terms were also obtained

securing to the State the right of mining salt to an indefinite extent, and I succeeded in closing a contract with responsible parties to work the mine for the benefit of the State, but the military successes of the enemy in the Mississippi valley have deprived us thus far of the benefit of this arrangement. A copy of this contract is herewith submitted.

In addition to the supplies to be derived from the State works and leases in Clarke county, and from Saltville, I have succeeded in making sundry small contracts for the manufacture of salt upon the coast of Florida. A memorandum of these is furnished for your information.

From the reports on file in the Executive office, the State works have yielded 34,028 bushels during the past year, of which 7,263 have been distributed by the Quartermaster General, the balance having been exchanged for labor, provisions and other expenses, as shown in the report of the salt commissioner. From the works of John P. Figh, 8,687 bushels have been received, while the receipts from Saltville have amounted to 41,750 bushels, of which one half only has as yet reached the State. The aggregate amount received by the State from all sources during the past twelve months has been 90,488 bushels.

By the Act of 29th August last, the General Assembly directed that all the salt received by the State should be appropriated to the families of soldiers exclusively until their wants were supplied. Having adopted this policy, I submit if it would not be best to fix the price at an average of cost, including transportation and other charges, and make it uniform in every county in the State. Under the present rules as prescribed in the Acts of December 9th, 1862, the salt manufactured or purchased is sold at cost and charges. These vary in almost every county, while the salt received from the State lessees is sold at \$2 50 to \$3 per bushel delivered in the respective counties. As this liberal provision is being made for the benefit of our soldiers, there is no good reason why they should not all share alike, and be allowed to purchase at the same uniform price.

SPINNING CARDS.

The General Assembly, by an Act approved Nov. 8th, 1862, appropriated \$60,000 for the purchase of spinning cards. This appropriation fell far short of the necessities of the State. At the date of the Act, spinning cards were selling in our markets at from ten to fifteen dollars per pair, and at the lowest price the sum appropriated would have furnished only six thousand pairs. None, however, could be purchased in the Confederacy, and they had to be ordered from abroad, Im-

mediately upon the passage of the Act I invested \$36,400 in sterling exchange, as authorized by the Act, and remitted an order to Nassau through the well known house of John Fraser & Co., of Charleston. During the ensuing spring, and after many delays, I received, by four separate shipments into Charleston and Wilmington, 5,876 pairs of cotton and wool cards. In the meantime engagements were made with several other parties for deliveries in the State of such additional quantities as would probably cover the balance of the appropriation, to be paid for on delivery, but these engagements were not complied with by the parties making them.

The cards imported from Nassau were delivered to the Secretary of State, and by him distributed to the Probate Judges of the several counties, in proportion to population, to be sold at prices varying from \$3 50 to \$9 per pair, to cover cost and charges, as the law directs.

Copies of correspondence and invoices, and of contracts made, and of the report of the Secretary of State, are herewith communicated.

In the month of March last I purchased of J. M. Keep, of Selma, on behalf of the State, a half interest in a card machine invented and constructed by himself, and contracted for the manufacture of additional machines to be operated on joint account with the State. With ordinary facilities a half dozen machines could have been finished and put in operation several months since, but the unavoidable hindrances which have attended their construction have greatly retarded their completion. One machine for the manufacture of wool cards and two for cotton are finished, another will be ready in a fortnight, and three others are far advanced towards completion. Machinery and plates have also been constructed for drawing the wire, and a large quantity of suitable hides and other material has been accumulated, sufficient to manufacture ten or twelve thousand pairs of cards. A suitable engine has also been provided to drive all the machinery for the drawing of the wire, setting the teeth and making the wooden backs by steam power. Over nine hundred pairs of cards have been made in the establishment by hand power. These have been exchanged and bartered for hides and other materials needed. So soon as the half-dozen machines are finished and put in operation, it is confidently believed that the establishment will turn out from seven to nine hundred pairs of cards per week. A sample of the cards, just received from the factory, is submitted for your inspection. I also submit a copy of the contract made with Mr. Keep, a copy of his report, and also a copy of a report filed in the Executive office by Dr. Charles Lucas, whom

I deputed recently to visit and examine the factory, which explains more fully the condition and prospects of this establishment. Dr. Lucas closes his report by saying, "I regard the enterprise as a perfect success, and believe that it will shortly contribute largely to the relief of the people of Alabama who are so severely suffering for the want of cotton and wool cards." I was not authorized by the Act of Nov. 8th, 1862, to make this investment on behalf of the State, but seeing the inadequacy of the appropriation made by the Act to furnish the State with cards, and also observing the rapid advance of foreign exchange, and the increasing difficulties, at greatly increased cost, of transportation through the blockade, I deemed it a matter of prime importance to secure a permanent establishment within the State of a card factory, which, with every necessary material at hand, would render the State independent of foreign markets, and furnish cards to the people at a price several hundred per cent. cheaper than they could be otherwise obtained. I trust that the engagements made in behalf of the State may be ratified and confirmed by the General Assembly.

DISTILLERIES.

The "Act to prohibit the distillation of grain in the State of Alabama except under the direction and authority of the Governor," approved Dec. 8th, 1862, "provided that it shall not be lawful for any person, during the existing war, to distill or convert into intoxicating liquor any grain, or the product of any grain, unless hereafter employed or authorized by the Governor to do so." The act imposed upon the Governor the duty, *on behalf of the State*, under such regulations as he might prescribe, to cause such an amount of grain to be distilled as, in his judgment, might be consistent with the general welfare, empowered him to make contracts and appoint agents to carry out the objects of the Act, and to prescribe the manner and purposes of distribution of the spirits obtained, and directed that the net profits which should be realized by the State "should be applied by future legislation to the relief of indigent families of soldiers."

In discharge of the duties imposed by this Act, I announced by proclamation under date of Dec. 24th, 1862, the terms and conditions on which contracts would be made and licenses issued. Subsequently agents were appointed at the different places of delivery to receive, pay for and sell the spirits. The sales were restricted to medical, chemical and manufacturing purposes. Copies of this proclamation, and of my circular letter of instructions to the State agents are herewith communicated. I also submit a statement of the contracts made on

behalf of the State, and a memorandum showing the names of persons licensed under contracts with the Confederate authorities.

Under the State contracts whisky is delivered at two dollars and fifty cents per gallon, and alcohol at four dollars and fifty cents per gallon, and the State agents are instructed to sell whisky at ten dollars per gallon and alcohol at fifteen dollars per gallon. The whole amount contracted for to the present date is 42,911 gallons of whisky, and 8,506 gallons of alcohol. Some of the contractors are behind in their deliveries, but by the terms of their contracts the deliveries are to be completed by the first day of January next, and the contracts are all guaranteed by sureties whom Judges of Probate have certified to be amply sufficient. The net profits which these contracts should yield the State, after deducting all expenses of the agencies, will amount to not less than *four hundred thousand dollars*, which will be a handsome addition to the fund for the support of indigent families of soldiers.

PENITENTIARY.

I submit for your examination the highly satisfactory reports of the officers of the Penitentiary. The health of the convicts during the past year has been unusually good, and the entire operations of the prison have been most successfully conducted.

The net earnings during the past year, ending on the 30th Sept., 1863, have been \$75,837 21. The operative stock on hand, with the machinery, provisions, &c., is valued at \$44,504 24, against \$12,465 24 on the 30th September, 1862, showing an increase in value of stock of \$32,039. Adding this increase of stock to the nett earnings of \$75,837 21, and it will appear that the gross earnings during the year has been \$107,876 43.

Since the death of the late lessee, and during the eighteen months prior, to the 1st October 1863, under the State direction, the prison has paid into the State Treasury,	\$ 80,000 00
It now has on deposit in the Central Bank,	21,103 03
And cash in hands of Warden,	2,119 18
Showing a total of cash assets of	103,222 21
Add value of stock on hand,	44,504 24

and we have the sum of \$147,726 45
as the total earnings during the past eighteen months.

The Inspectors report that the salaries paid to the officers of the Penitentiary are inadequate to the support of their families; and I recommend an increase of their salaries during the present fiscal year.

In the month of May last I was addressed by His Excellency

John J. Pettus, Governor of the State of Mississippi, advising me of the necessity for a removal of certain convicts in the Penitentiary of that State, at Jackson, and asking me to admit them for safe custody into the Penitentiary at Wetumpka. His application was granted, and the convicts, twenty-five in number, were immediately forwarded, and have been kept securely in close confinement. The expenses of their guard and maintenance have been paid out of the funds of the prison, and have to this extent increased its expenditures. The account of these expenses remains for future adjustment with the State of Mississippi. A copy of the correspondence with Gov. Pettus is herewith furnished you, and I trust that my official action in this particular may meet your approbation.

INSANE HOSPITAL.

I herewith communicate the third annual report of the Trustees and Superintendent of the Insane Hospital at Tuscaloosa. The success of this institution, in all its departments, has been such as to produce the liveliest satisfaction. It has been in operation only two years, but even in this brief period, its beneficent influence has been seen and felt throughout the State. The building, in its whole internal arrangement and adaptation, is unsurpassed by any other in the Confederacy, and the Trustees have been most fortunate in securing the services of a Superintendent and other officers who thoroughly understand their mission, and whose humane and devoted labors must yield the happiest results. Since the opening of the institution in July, 1861, one hundred and six patients have been received. Eighty-four have been under treatment during the year ending October 20th, 1863. Of this number, sixteen have been restored to reason, three discharged much improved, and seven have died. The daily average of patients during the year has been forty-nine, and fifty-five now remain in the building. I recommend that these interesting reports be immediately printed for the use of the General Assembly, and for extensive circulation in the State.

UNIVERSITY.

Results continue to vindicate the wisdom of military training and discipline at the University. The corps of cadets has, during the present year, furnished to the Confederate army as many as a full company of well drilled and most effective soldiers. By a regulation of the Board of Trustees, adopted at its last annual session, no cadet will be commissioned who has attained the age of eighteen years. Arrangements have been made for the accommodation of an increased number, not to exceed three hundred. The organization of the corps, with its arms and equipments, make it a reliable and efficient bat-

talion for State defense, should an emergency call it to the field. I commend this corps and the University of the State to the fostering care and patronage of the General Assembly.

SALARIES OF STATE HOUSE OFFICERS.

I deem it my duty to call the attention of the General Assembly to the inadequate salaries now paid to the incumbents in the various offices at the Capitol. Your own experience and observation attest the high price of living in the city of Montgomery at the present time. These officers are required to reside at the Capitol, and their whole time and energies are demanded to perform their arduous duties. They cannot be expected, and the State should not permit them to devote their services without such compensation as will maintain their families. In view of the present emergency I recommend a liberal increase of their salaries, at least until the close of the next year.

STATE AND CONFEDERATE RELATIONS.

Complaints have occasionally been made of unauthorized acts committed by Confederate military officers within this State. That irregularities have been committed, and in some instances illegal excesses and wrongs, by subordinate officers, is certainly true. Where these have occurred in an honest effort to discharge their duty, much allowance is due to the cause which they are striving to serve, as well as to their excess of zeal; but if the acts have resulted from a wanton disregard of private rights and a contempt of State authority, their perpetrators merit severe rebuke and punishment. Such complaints as have reached the Executive office, and were sustained by satisfactory proof, have been promptly reported to the Secretary of War, or to the commanding officer within the State, and have been by them as promptly remedied. Among these was the illegal arrest of the Probate Judge of Pike county by an officer of the conscript bureau: So soon as the Secretary of War received my official communication, notifying the fact, he telegraphed the officer that his action was disapproved, and directed him to carefully abstain from obstructing the proceedings of the State judicial officers, and from all interference with their persons. Another complaint which I deem proper to mention, was submitted by the retailers of Mobile, advising me of a military order closing their shops, and thus virtually annulling the licenses granted to them by the laws of the State. Their memorial was communicated by me to Maj. Gen. Maury, commanding the department of the Gulf, and when advised that his order was an invasion of State authority, and for that reason he was requested to revoke it, this gallant and meritorious General gracefully yielded the point,

with the assurance that, above all things he desired to respect the civil laws, and if necessary to aid the State Executive in maintaining them. The order was deemed needful for the better discipline and efficiency of the army under his command. My information is that, in this particular, it was highly beneficial in its results. It was recommended by many of the leading and influential citizens of Mobile, who publicly announced their approval of the order, and volunteered their testimony that after its issuance there had been a marked improvement in decorum upon the streets of the city. I doubt not that it would have been eminently judicious had there been legal authority to sustain it. The occurrence suggests the propriety of State legislation to remedy the evils in such cases. It may be conceded that military officers within the limits of their encampments may adopt all necessary police regulations for the due subordination and discipline of their troops, but where troops occupy or encamp near by cities and towns in which the ordinary avocations of the citizens are unmolested, and the civil authority is undisturbed, the daily vending of spirituous liquors under legal protection cannot prove otherwise than detrimental to public order as well as to the efficiency of the troops. This evil may be avoided by the passage of an act prohibiting the retailing of spirituous liquors in such localities, or by investing the Governor with the power to suspend licenses, or to issue orders of prohibition and restraint.

I am persuaded that there is no reasonable ground for public apprehension that the Confederate Government, in the administration of either of its departments, will intentionally invade or disregard the reserved rights of the States or of the people. The success of the grand struggle in which it is engaged is so vitally dependent upon the cordial support of all the States, that it is not to be presumed that it will hazard the exercise of powers which might disturb its harmonious relations. And as the independence and welfare of all the States are mutually connected, and dependent upon the success of the Confederate cause, while jealously guarding their own sovereignty, the highest interests of the several States demand that they should heartily sustain the Confederate Government in every measure it may adopt to secure a final triumph over their common foe.

CONCLUSION.

Before the adjournment of the present session of the General Assembly my official term will close, and I shall be relieved from the cares and responsibilities of the Executive office. Upon the day of my inauguration I declared, in the presence of the two Houses, that, "diffident as I might be at any time to undertake a trust of such large responsibility, now that we are

in the midst of momentous events, requiring vigilance, fortitude, labor and skill beyond the ordinary demands of our internal administration, the stoutest heart and wisest intellect might hesitate in view of all the just expectations of the country." If I have failed to meet these just expectations it has not been because I have failed to labor earnestly, and with an entire consecration of my time and humble abilities, to promote the welfare and maintain the honor of the State. All the means within the control of the Executive have been employed to secure its protection, to ameliorate the burthens imposed upon her people by the cruel war now being waged for their subjugation, and to hold up the State of Alabama to the fulfillment of her plighted faith "to vindicate our Confederate cause, and to fight on and fight ever, until we conquer a peace, which shall not only compel an acknowledgment of our confederate system, but which shall bring us a deliverance, full and unrestricted, from all commercial dependence upon, as well as from all social and political complications with a people who appreciate neither the value of liberty or the sanctity of compact."

I shall retire with cheerfulness and a sustaining consciousness of having at least faithfully attempted the discharge of every duty; and I shall carry with me no other regret than that I have not been able, with the resources at my command, to accomplish more for the good of the State and for her patriotic people, to whom I owe a lasting debt of gratitude for the many undeserved honors they have conferred upon me. I congratulate you and them upon the selection of one, as my successor, whose personal character, high talents, untiring energy and ardent patriotism, give assurance of a successful administration of the Executive office, and of a firm and zealous support of the Confederate Government in its mighty struggle to maintain and perpetuate the sovereignty and independence of the Confederate States. It shall be my willing purpose, as it is my clear duty, so sustain him in all his arduous labors for the accomplishment of these great ends, and I will counsel the people to yield him their generous confidence and co-operation, and stand even the more firmly by his side, to strengthen his arms and animate his courage, should the storm clouds thicken and gather more darkly over our beloved State.

I cannot close this communication without adverting to the constant and willing assistance rendered me by my respected associates in the Executive Department, and expressing the deep sense of obligation I feel, and shall ever cherish for their valued counsel and support.

JNO. GILL SHORTER.

The Message was read, and on motion of Mr. Foster, was laid on the table, and 3000 copies ordered to be printed,

When, on motion of Mr. Bethea, the House adjourned until 10 o'clock, to-morrow morning.

TUESDAY, NOVEMBER 10, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Baldwin of this city.

The journal of yesterday was read and approved.

Mr. Speaker announced the following standing committees :

Military Affairs—Benners, Bethea, Chambers, Parsons, Taylor, Dawson, Hames, Gibson, Young.

Judiciary—Parsons, Benners, Taylor, Cooper, Dawson, Clarke, Cumming, Chapman, McAlexander.

Confederate Relations—Bethea, Chambers, Reid, Moulton, Williams, Brooks, Bell, Clarke, Young.

Ways and Means—Lawler, Benners, Bethea, Price, Jones, Bradley, Cooper, Magee, Gardner.

Internal Improvements—Cooper, Price, Fannin, Donnell, Charlton, Keenan, Sims, Ellis, Howard.

Banks and Banking—Bradley, Lawler, Wolff, Coleman, Price, Bethea, Dent, Nisbit, Chapman.

Education—Chambers, Foster, Ogbourne, Ashurst, Donnell, Morrow, Reid, Scruggs, John G. Moore.

University—Foster, Ogbourne, Ashurst, Coleman, Morrow, Bryan, Kilpatrick, McAlexander, Lewis.

Sixteenth Section—Williams, Moulton, Jones, Bell, McLemore, Graves, Brooks, Cobb, Ellis.

Public Lands—Gibson, Modawell, Evans, Sims, Greathouse, Ryan, Manasco, Leeper, Vanzandt.

Manufactures—Fannin, Keenan, Howard, Orr, Vanzandt, C. A. Parker, J. W. Davis, Mitchell, Atkinson.

Local Legislation—Modawell, Leeper, Kilpatrick, Beard, Head, Oates, Towles, White, Franklin.

Corporations—Taylor, Cumming, Stephensen, May, Bishop, Chisolm, Gardner, Seay, M. I. Davis.

Insane Asylum—Wolff, Evans, E. S. C. Parker, Ellis, Kennon, Bishop, Malone, Green, Cox.

State Bank and Branches—Jones, Evans, Carlisle, McInnis, Wolff, Leeper, Beard, Chisolm, Head.

Enrolled Bills—Chapman, Morrow, John G. Moore, Cobb, C. A. Parker, Nisbit, Hames, Bryan, Greathouse.

State Printing—Hames, McLemore, Lewis, Ashurst, Gibson, Young, Hollis, Parish, Cox.

Salt Supply—Reid, Moulton, Kilpatrick, Fannin, Scruggs. Graves, Donnell. Carlisle, Kennon.

Propositions and Grievances—C. A. Parker, Hollis, Brown, Vincent, McInnis, Holly, Barron, G. W. Ashe, Parish.

Accounts and Claims—Manasco, Howell, Bryers, Brandon, McClelland, Robeson, Sivley, Edwards, Gafford.

Agriculture—J. W. Davis, Armstrong, John Moore, Sivley, Towles, Franklin, Cox, Parish, Dent.

Retrenchments—Stephenson, White, Holly, Edwards, Brown, Vincent, John Moore, Bryers, Armstrong.

Privileges and Elections.—Coleman, Atkinson, M. L. Davis, Magee, Head, Charlton, Beard, Seay, Brooks.

Penitentiary—McCain, McInnis, Ryan, Hollis, Dent, Brandon, Oates, West, Malone.

Roads, Bridges and Ferries—Cobb, McClelland, Robeson, May, Howell, Gardner, G. W. Ashe, Barron, Green.

State Capitol—Ogbourne, E. S. C. Parker, Orr, Gafford, West, J. S. Ashe, Greathouse, Mitchell, Chisholm.

County Boundaries—Williams, Scruggs, Nisbet, Bryan, Kennon, Lewis, Bell, McLemore, J. S. Ash.

CALL OF THE COUNTIES.

The following bills were introduced, read twice, under a suspension of the constitutional rule, and referred to the judiciary committee :

By Mr. Chambers, to fix the time of the meeting of the General Assembly of the State of Alabama ;

By Mr. Ellis, to prevent the further depreciation of Confederate money ;

By Mr. Vanzandt, to prevent the citizens of the State of Alabama from unlawful arrest ;

By Mr. Dawson, to authorize the administrators of the estate of James K. Breazell to remove the administration of said estate from the county of Louides to the county of Dallas.

By Mr. Taylor, to authorize the action of ejectment.

By Mr. Modawell, to amend section 3192 of the Code.

The following bills were introduced, read twice, and referred to the committee on corporations :

By Mr. Williams, to increase the capital stock of the Woodville insurance company :

By Mr. Dawson, to increase the capital stock of the Selma insurance and trust company ; and the planters' and merchants' insurance company :

Also, to incorporate the Dallas oil works ;

By Mr. Chambers, to repeal an act to prevent extortion, approved December 9, 1862, and other acts therein named ;

Which was referred to the committee on ways and means.

By Mr. Modawell, to increase the fees of jurors ;

Which was ordered to be engrossed.

By Mr. Speaker Crenshaw (Mr. Cooper in the chair), to change the time of holding the courts of the 11th judicial circuit :

Which was read three times, forthwith, and passed.

RESOLUTIONS.

Mr. Chambers offered the following, which was adopted :

Resolved, That, with the concurrence of the Senate, the committee of each House on military affairs, act as a joint committee, and that the said joint committee report simultaneously to each House.

Mr. Jones offered the following, which was adopted :

Resolved, That a committee of three be appointed, to act with a like committee from the Senate, in preparing resolutions in response to the Virginia Legislature in reference to the currency of the Confederate States.

Messrs. Jones, Taylor and Lawler, were appointed said committee.

Mr. Moulton offered the following, which was adopted :

Resolved, That the newspaper reporters, throughout the State, be admitted to seats at the bar of the House, for the purpose of reporting proceedings.

Mr. Cooper offered the following, which was adopted :

Resolved, That a committee be raised to consider the propriety and practicability of regulating prices and fixing the value of labor by law.

Mr. Price offered the following, which was adopted :

Resolved, the Senate concurring, That the two Houses of the General Assembly will meet in the hall of the House of Representatives on Thursday next, at 12, M., the 12th inst., for the purpose of electing solicitors for the 1st, 2nd, 3rd, 4th, 5th 9th, 10th and 11th judicial circuits ;

Which, on motion of Mr. Price, was ordered, forthwith, to the Senate.

Mr. C. A. Parker offered the following, which lies over for one day :

Resolved, That, in future, this House convene each day at 9, A. M.

Mr. Jones offered the following :

WHEREAS, many citizens of the State have refused to take Confederate Treasury notes in payment of debts due them; and whereas, such refusal tends to depreciate and discredit the currency, and will result in great injuries to the people of the

Confederacy, and will paralyze the efforts of the Government to prosecute the war with the United States to a successful issue : therefore,

Resolved, That the judiciary committee be directed to propose and report joint resolutions instructing our Senators and requesting our Representatives in the Congress of the Confederate States to use their best efforts to secure the enactment of a law making Confederate Treasury notes a legal tender in payment of debts ;

Which, on motion of Mr. Cooper, was laid on the table—
Yeas 45, nays 25.

Those who voted in the affirmative are. Messrs. Speaker, Armstrong, G. W. Ashe, J. S. Ashe, Atkinson, Barron, Beard, Benners, Bethea, Bishop, Brandan, Bradly, Carlisle, Charlton, Cooper, Coleman, Cox, Clarke, Dawson, Dent, Gardner, Graves, Greathouse, Head, Hollis, Holley, Howard, Howell, John Keenan, Leeper, Manasco, John G. Moore, Moulton, McCain, McLelland, McLemore, Nisbet, Parsons, Price, Seay, Sims, Sibley, Taylor, Towles and West—45.

Those who voted in the negative are; Messrs. Ashurst, Bell, Bryan, Chambers, Chapman, Chisholm, M. L. Davis, Fannin, Foster, Gafford, Gibson, Jones, H. I. M. Kennon, Kilpatrick, Lawler, Magee, May, Modawell, McAlexander, McInnis, Ogbourne, C. A. Parker, Parish, Vanzandt and Williams—25.

Message from the Senate by Mr. Morgan.

SENATE, November 10, 1863.

Mr. Speaker :

The Senate has amended the resolution of the House to go into the election of Solicitor on Thursday next, by striking out the 9th and 10th circuits, and as amended, has concurred in the same.

The Senate has adopted the following resolution :

Resolved, That with the concurrence of the House, the two Houses will assemble in the hall of the House on Friday, the 13th inst., at 12, M., for the purpose of counting the votes cast for Governor of the State of Alabama.

The House concurred in the Senate amendment to the resolution of the House as to the election of Solicitor ; and adopted the resolution of the Senate as to counting the votes for Governor.

Mr. Manasco offered the following resolution, which was adopted :

Resolved, That the judiciary committee be instructed to inquire into the constitutionality of enacting a law to prevent extortion in the purchase and sale of the necessaries of life, including food and clothing and medical stores, stock of all

kinds, implements of agriculture, products of foundries, factories and workshops of every description in operation in this State, and report by bill, or otherwise.

Mr. Price offered the following, which was adopted :

Resolved, That, with the concurrence of the Senate, the two Houses will assemble in the hall of the House on to-morrow (Wednesday), to elect a State Printer for the term prescribed by law, which resolution was ordered forthwith to the Senate.

Leave of absence was granted to Mr. May.

Mr. Chambers offered the following, which was adopted :

Resolved, That the military committee be instructed to inquire into the propriety of amending the patrol laws of this State, and report by bill, or otherwise.

House then adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, November 11, 1863.

House met pursuant to adjournment.

Prayer by the Rev. J. C. Davis, of this city.

Journal was read and approved.

Mr. Green, from Conecuh, appeared within the bar of the House, was qualified by the Hon. J. T. Heflin, and took his seat.

CALL OF THE COUNTIES.

The following bills were introduced, read twice, forthwith, and referred to the judiciary committee :

By Mr. Gafford, for the relief of Mrs. T. Smith ;

To prevent illicit trading with slaves ;

By Mr. Cooper, amendatory of section 13 of an act to regulate judicial proceedings, approved December 10, 1861 ;

By Mr. Vanzandt, to amend an act to prevent false representations as government agencies, approved November 8, 1861 ;

By Mr. Dawson, for the relief of Boykin Goldsby ;

By Mr. Taylor, to exempt one slave from sale under legal process to pay debts ;

By Mr. Bethea, for the relief of the heirs of C. Baker ;

By Mr. Parsons, to provide for the maintenance of civil authority, and the preservation of law and order within the limits of this State ;

By Mr. Manasco, to increase the fees of probate judges, sheriffs, and clerks in this State ;

By Mr. Cooper, for the relief of certain Government contractors ;

To prevent gaining in this State;

The following bills were introduced, read twice, and referred to the committee on ways and means :

By Mr. Dawson, for the relief of Virginia Matthews;

By Mr. Orr, for the relief of Theophilus C. Greenhill, tax collector of Franklin;

By Mr. Fannin, for the relief of S. B. Harmon, tax collector of Macon county.

The following bills were introduced, read twice, and referred to the committee on local legislation:

By Mr. Groves, to authorize the judge of probate of Loundes county to record a certain paper;

By Mr. Leeper, to amend section 1803 of the code as to Shelby county:

By Mr. Modawell, for the relief of James H. Armstrong.

Mr. Taylor introduced a bill for the relief of F. S. Blount:

Which was read twice, and referred to the committee on propositions and grievances.

Mr. Clarke introduced joint resolutions in reference to soldiers' pay ;

Which were read, adopted, and ordered to be engrossed.

Mr. Vanzandt introduced a bill to amend section 13 article 6 of the constitution of the State of Alabama ;

Which was read, and ordered to a second reading.

Mr. Dawson introduced a bill to incorporate the central city insurance company ;

Which was read twice, and referred to the committee on corporations.

Also, a bill for the relief of W. A. Rose :

Which was read twice, and referred to the committee on corporations.

Mr. Foster presented a petition on the subject of salt :

Which was referred to the committee on salt supply.

Mr. Kilpatrick introduced a bill authorizing the commissioners' court of Clarke county to make salt for the families of soldiers, and indigent families of said county ;

Which was read twice.

Mr. Bethea moved to amend as follows, which was adopted :

Provided that nothing in this act shall be construed to authorize a conflict with the rights of lessees of the State or with the State salt works.

Mr. Fannin moved to amend as follows, which was adopted

Strike out all after the words " Clarke county salt works ;"

The bill was then referred to the committee on salt supply.

Mr. Atkinson introduced a bill to repeal an act therein named.

Mr. M. L. Davis, a bill to regulate the number of grand jurors in Marion county ;

Which bills were severally read three times, forthwith, and passed.

Mr. Greathouse introduced a bill to exempt Thomas O. Partridge, a blacksmith of New Site, Talapoosa county, from military service in class number 2, of the State Militia;

Which was read twice and referred to the military committee.

REPORTS FROM COMMITTEES :

Mr. Chapman, from the judiciary committee, reported favorably to the bill to authorize the action of ejectment.

Which was ordered to be engrossed.

Mr. Barnes, from the same committee, reported favorably to the bill to authorize the administrators of the estate of James K. Breazeal and Sarah A. Breazeal to remove the jurisdiction of said estate, &c. :

Which was ordered to be engrossed.

Mr. Dawson, from same committee, reported adversely to the bill to fix the time of the meeting of the General Assembly.

House refused to concur in said report.

Mr. Modawell moved to strike out "1st" and insert "2nd;"

Which was carried, and the bill was ordered to be engrossed

Mr. Taylor, from the same committee, reported adversely to the bill to amend section 3192 of the code:

Which report was concurred in.

Engrossed bill to increase the pay of jurors in this State ;

Was read a third time and passed.

REPORTS FROM THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

The committee on privileges and elections to whom was referred the question as to whether Abner W. Ligon, from the county of Franklin, is entitled to a seat on this floor or not, as a representative of said county, have had the same under consideration, and beg leave to report that they find that a special election was held in said county on the 26th day of October, 1863, for the purpose of electing one representative to this General Assembly, to fill the vacancy occasioned by the death of Samuel R. Oats. That at said election Abner W. Ligon received the largest number of votes polled, and was declared duly elected by the sheriff of said county.

That the election was fairly held after notice given, and that no fraud or undue influence was practiced in the conducting of said election, and the only informality which the committee have been able to discover in the holding of said election, was that the Governor failed to issue a writ of election,

as required by section 191 of the Code, in cases where special elections are held.

The constitution provides that each House shall judge of the qualifications, elections and returns of its own members, and inasmuch as the committee have had no difficulty in arriving at the conclusion that the election was fairly held, and that Abner W. Ligon received a majority of the votes polled, and inasmuch as it is desirable that the county of Franklin should be fully represented here, a majority of the committee recommend that he be admitted to a seat on this floor as one of the representatives of said county, upon taking the oath prescribed by the constitution.

W. COLEMAN,

Chairman of Committee.

A minority of the committee on privileges and elections, to whom was referred the matter of the right of A. W. Ligon, who claims to have been elected to a seat in this House from Franklin county, make the following report, dissenting from the report of a majority of the committee :

The constitution of the State, and the existing law on the subject of the election of representatives, provide that the election shall be held at the court house and other places prescribed by law for voting in the several election precincts, on the 1st Monday in August, bi-ennially.

When a vacancy occurs it is the duty of the Governor to issue a writ of election to the sheriff of the county in which the vacancy occurs ; the sheriff, on receiving the writ, is required to advertise and hold the election at the time directed by the writ, and make return of the result of the election. The powers and duties of the sheriff are ministerial, and not executive or judicial. Therefore he cannot determine that a vacancy exists, nor fix a day for an election to be held. The difference in the right of the people to elect their representatives at the time for the bi-ennial elections fixed by the constitution, and to elect at a time set by a sheriff to fill a vacancy, without a writ of election, is obvious ; in the first case, the terms of all the representatives expire at the time prescribed by the constitution, and all officers, creative and judicial, are presumed to know when the terms expire, the electors are presumed to know their constitutional rights, consequently the failure of the Sheriff to perform the ministerial duty of advertising the election, appointing inspectors, &c., would not defeat the constitutional right of the people to elect, at the regular elections.

The constitution does not fix the time when elections are to be held to fill vacancies, nor does it empower the sheriff to determine when a vacancy exists ; the exercise of the power to determine when a vacancy exists, and the time when it should be filled, is lodged, by the organic law, with the executive, and the determination of the fact of the vacancy, and the time and mode of filling the vacancy, by the sheriff, in the absence of any action by the Governor on the subject, is the exercise of a power not delegated to the sheriff by law—is clearly an usurpation, and the election of Mr. Ligon is, therefore, irregular and void.

All of which is respectfully submitted.

G. P. CHARLTON,
S. F. GAFFORD.

The House adopted the majority report. Mr. Ligon was then qualified by Judge Stone of the Supreme Court, and took his seat.

Mr. Benners offered the following resolution, which was adopted :

Resolved, That so much of the message of the Governor as relates to military appropriations, the Confederate war tax of 1861-2, indigent families of soldiers, and salaries of State House officers be referred to the committee on ways and means ; and that so much of said message as relates to the militia be referred to the committee on the military ; that portion relating to salt to the committee on salt supply ; distilleries to committee on propositions and grievances ; Penitentiary to committee on the same ; Insane Asylum to committee on that subject ; and that portion relating to the University to committee on the same.

Mr. Cooper offered the following resolution, which was lost :

Resolved, That the Senate be invited to unite with the House in the election of State Printer, set for the hour of 12, m., of this date.

Mr. Lawler offered the following resolution, which was adopted :

Resolved, That the committee on ways and means be directed to inquire into the expediency of reporting joint resolutions instructing our Senators, and request our Representatives in Congress to vote for the enactment of a law imposing upon property, or incomes, or both, a special tax, which will raise two hundred millions of dollars, with a view to the reduction of the currency to that extent ; and that said committee also inquire into the propriety of recommending that tax payers shall be reimbursed in bonds of the Confederate Government,

bearing interest at the rate of — per cent. per annum, and payable at such time as may comport with the liability and resources, present and prospective, of the Confederacy.

Mr. Parsons introduced joint resolutions in regard to the currency, which were read and made the special order for Saturday next at 12, m.

The resolution offered by Mr. C. A. Parker yesterday, was called up, proposing to convene the House at 9, a. m., each day of the session, and the House refused to adopt the resolution.

Special message from the Governor by his private secretary, Mr. Taylor.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., November 11, 1863. }

Gentlemen of the Senate and House of Representatives :

The General Assembly at its last annual session passed "Joint resolutions in relation to Alabama volunteers," which were approved November 5, 1862. The second resolution in the series is as follows: "That this General Assembly begs most sincerely to mingle its sympathy with the relatives and friends of those who have fallen in the service of their country, whether in battle or disease, and that the Executive authority be requested to collect the names of all such and have them transcribed in a suitable record book, designating the corps to which they belonged, their rank in the service, and cause of death, to be preserved among the archives of the State as a token of respect to their memories."

The fourth resolution in the series directed "that a copy of these resolutions be transmitted to the commanding officer of the Alabama regiments and battalions, with the request that they be communicated to their respective commands." Immediately after the adjournment of the General Assembly a circular letter from this department was addressed and forwarded to the officer commanding Alabama volunteers, covering copies of the "joint resolutions," as required by the 4th resolution, and a copy of the circular letter is herewith submitted. No steps have been taken to carry out the provision contained in the second resolution. The General Assembly omitted to make any appropriation for that purpose, and it was ascertained on examination and inquiry, that, to accomplish the desirable end in view, would require a large expenditure, and the service of one or more energetic and competent agents, whose services must be continuous during the war. It is questionable whether indeed the work can be fully accomplished pending the war. A very large proportion of Alabama officers and soldiers have entered the military ser-

vice of the Confederacy without furnishing the State authorities with their muster rolls, and such rolls can only be obtained from the war office at Richmond. The enterprise requires for a successful result, that the original rolls of all companies should be copied and the names traced to the final discharge or death of the officer or soldier. It will be seen upon reflection that the work is one of magnitude, requiring much labor and skill, and continuous during the war. Heartily approving this tribute by the General Assembly to the patriotism of Alabama's sons, I recommend that an adequate appropriation be made for this purpose, and that the Executive be empowered to appoint one or more suitable persons to accomplish the work.

JNO. GILL SHORTER.

Which was read and referred to the committee on ways and means.

House then adjourned until 10 o'clock to-morrow morning.

THURSDAY, November 12, 1863.

House met pursuant to adjournment.

Prayer by Rev. Mr. Bell of the House.

Journal was read and approved.

Mr. Speaker announced Mr. Ligon on the committee on local legislation and manufactures.

Mr. Speaker laid before the House the annual report of the Land Commissioner, which was referred to the committee on public lands.

CALL OF THE COUNTIES.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Gafford, to reduce the expenses of publication in suits in court ;

By Mr. Benners, for the relief of Thomas Kelly ;

By Mr. Taylor, to prevent the introduction into this State of free negroes and slaves guilty of criminal offences ;

By Mr. Gardner, to allow compensation to Probate Judges in certain cases ;

By Mr. Cox to authorize and empower the Governor to rescind contracts in certain cases.

Mr. Foster introduced a bill for the relief of the heirs of Hardy, Abney, deceased ;

Which was read twice, and referred to the committee on propositions and grievances.

Mr. Vanzandt introduced a bill to amend the revenue laws of this State ;

Which was read twice and referred to the committee on ways and means.

Also, a bill for the relief of certain persons therein named ;

Which was read twice and referred to the military committee.

Mr. Taylor introduced a bill for the relief of the heirs of John Flood McGrew ;

Which was read twice and referred to the committee on public lands.

Mr. John Moore introduced a bill to compensate the owners of property lost in the public service of the same ;

Which was read twice and referred to a select committee consisting of Messrs. Bethea, Taylor, Modawell, Chambers, and John Moore.

Mr. Nisbet introduced a bill to amend Section 1203 of the Code ;

Which was read twice and referred to the committee on roads, bridges and ferries.

ORDERS OF THE DAY.

Joint resolutions to amend section 13 of article 3 of the constitution of the State of Alabama ;

Were read a second time, and referred to the judiciary committee.

Engrossed bills—

To authorize the administrator of the estate of James M. Breazeal and Sarah E. Breazeal to remove the administration of said estate from the county of Lowndes to the county of Dallas ;

To authorize the action of ejectment :

To fix the time of the meeting of the General Assembly of the State of Alabama :

Were severally read a third time, and passed.

The report of John Whiting, commissioner and trustee, was laid before the House, read, and referred to a select committee composed of Messrs. Bethea, Benners, and Lawler.

Mr. Lawler, from the committee on ways and means, reported favorably to the bill for the relief of T. C. Greenhill, tax collector of Franklin ;

Which was ordered to be engrossed.

Mr. Greene offered the following resolution, which was adopted :

Resolved, That the committee on ways and means be requested to inquire into the expediency of a law of tax in kind for the support of the indigent families of soldiers, and to report by bill or otherwise.

Mr. Chambers offered the following resolution, which was adopted :

Resolved, That the committee on military affairs be instructed to inquire what legislation, if any, is needed to increase the efficiency of the Quartermaster's department of the State of Alabama, with authority to report by bill or otherwise.

Message from the Senate.

Senate, November 12, 1863.

Mr. Speaker :

The Senate has adopted the following resolution :

Resolved, That, with the concurrence of the House, the two Houses of the General Assembly will meet in convention, in the hall of the House, to-day, at 12, o'clock, for the purpose of electing a Solicitor for the 9th Judicial Circuit.

Which resolution, on motion of Mr. Ogbourne, was amended by adding, "and State Printer;" and, as amended, was then adopted.

Mr. Dawson introduced a bill to amend the charter of the city of Selma :

Which was read twice, and referred to the committee on corporations.

Mr. Fannin offered the following resolution, which was adopted :

Resolved, That the committee on corporations be requested to take into consideration the rates of transportation and terms of shipment of the several Railroad and Steamboat Companies of this State, and report by bill, or otherwise, at the earliest practicable moment.

Message from the Senate :

Senate, November 12, 1863.

Mr. Speaker :

The Senate refuses to concur in the amendment of the House to the Senate resolution proposing to elect a Solicitor for the 9th Judicial Circuit at 12, m. to-day.

The House refused to recede from its amendment.

Mr. J. G. Moore introduced a bill to repeal an act therein named relating to the county of Coffee :

Which was read three times, and passed.

Mr. Jones introduced a bill for the relief of soldiers' families in Barbour county :

Which was read twice, and referred to the Barbour delegation.

Message from the Senate.

Senate, November 12, 1863.

Mr. Speaker :

The Senate insists on its disagreement to the House amend-

ment to the resolution as to the election of a Solicitor for the 9th Judicial Circuit to-day at 12. m.

The House insisted on its action.

The hour of 12 o'clock having arrived, the Senate appeared, by invitation, in the hall of the House, when the two Houses proceeded to the elections for certain Solicitors, as follows:

The first in order was for the 1st Judicial Circuit.

Mr. Chapman placed in nomination the name of Y. L. Royston, who, alone being in nomination and having received a majority of all the votes given, was declared by Mr. Speaker duly and constitutionally elected Solicitor for the term prescribed by the constitution.

The two Houses then proceeded to the election of Attorney General.

M. A. Baldwin alone being in nomination, and having received all the votes given, was declared by Mr. Speaker duly and constitutionally elected for the term prescribed by the constitution.

The two Houses then proceeded to the election of Solicitor of the 3d Judicial Circuit.

Mr. Powell placed in nomination the name of Alberto Martin, of Jefferson county.

Mr. Chapman placed in nomination the name of J. W. Hampton, of Walker county.

Those who voted for Mr. Martin are, Messrs. President, Barnes, Brodnax, Clarke, Davis, Ervin, Groce, Hammond, Hardwick, Harrison, Jackson, Ligon, Payne, Porter, Powell, Reavis, S. F. Rice, of the Senate: Messrs. Speaker, G. W. Ashe, Atkinson, Bell, Benners, Bradley, Bryan, Carlisle, Chambers, Chisholm, Clarke, Coleman, Cooper, J. W. Davis, M. L. Davis, Dawson, Dent, Ellis, Fannin, Foster, Gafford, Gibson, Graves, Greathouse, Howard, Jones, John Keenan, Kilpatrick, Lawler, Lewis, John Moore, McAlexander, McInnis, McClelland, McLemore, Nisbet, Parsons, Price, Ryan, Sims, Towles and Wolff, of the House—59.

Those who voted for Mr. Hampton are, Messrs. Beeson, Critcher, Garrett, Hill, Lewis, McCall, Peacock, Toulmin, and Wood, of the Senate: Messrs. Armstrong, T. P. Ashe, Ashurst, Barron, Beard, Bethea, Bishop, Brandan, Brooks, Bryers, Chapman, Charlton, Cox, Cumming, Franklin, Gardner, Greene, Hames, Head, Holley, Hollis, Howell, H. I. M. Kennon, Ligon, Magee, Modawell, John G. Moore, Moulton, McCain, Ogbourne, Orr, Parish, C. A. Parker, E. S. C. Parker, Reid, Robeson, Scruggs, Seay, Sivley, Taylor, Vanzandt, Vincent, West, and Williams, of the House—52.

Mr. Martin having received a majority of the whole number of votes given, was declared by Mr. Speaker to be duly and constitutionally elected for the term prescribed by the constitution.

The Houses then proceeded to the election of Solicitor for the 4th Judicial Circuit.

Mr. Clarke nominated Mr. E. W. Parker.

Mr. Bethea nominated Mr. S. M. Morrow.

Those who voted for Mr. Parker are. Messrs. Barnes. Beeson, Brodnax, Clarke, Critcher, Davis Ervin, Hammond, Harrison, Hill, Jackson, Ligon, McCall. Payne, Peacock, Porter, Powell, Reavis, Toulmin, and Wood. of the Senate; Messrs. Speaker, T. P. Ashe, Ashurst, Barron, Bell, Benners, Brandan, Brooks, Bryan, Bryers, Carlisle, Chambers, Chapman, Chisholm, Clarke, Coleman, Cooper, Cox, J. W. Davis, Dawson, Dent, Fannin, Foster, Franklin, Gafford, Graves, Greathouse, Greene, Head, Hollis, Howell, Jones, John Keenan, H. I. M, Kennon, Kilpatrick, Lawler, Leeper, Ligon, Magee, Manasco, Modawell, John Moore, John G. Moore, Moulton, McAlexander, McCain, McInnis, McClelland, McLemore, Nisbet, Orr, Parish, C. A. Parker, E. S. C. Parker, Price, Robeson, Scruggs, Seay, Sims, Sibley, Taylor, Towles, Vanzandt, Vincent, West, Williams, and Wolff, of the House—88.

Those who voted for Mr. Morrow are, Messrs. President. Garrett, Groce, and Hardwick, of the Senate: Messrs. G. W. Ashe, Atkinson, Beard, Bethea, Bishop, Bradley, Charlton, M. L. Davis, Ellis, Gardner, Gibson, Hames, Holley, Howard, Lewis, Ogbourne, Parsons, Reid, and Ryan, of the House—22.

Mr. Parker having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected Solicitor for the 4th Judicial Circuit for the term prescribed by the constitution.

The two Houses then proceeded to the election of Solicitor for the 11th Judicial Circuit.

Mr. Ervin, of the Senate, placed in nomination the name of R. H. Dawson, who alone being in nomination and having received all of the votes given, was declared by Mr. Speaker to have been duly and constitutionally elected Solicitor for the 11th Judicial Circuit for the term prescribed by the constitution.

The Senate then withdrew to its chamber.

Mr. Cooper offered the following resolution, which was adopted:

Resolved, That the Senate be now invited, *instanter*, into the hall of the House, for the purpose of electing a Solicitor for the 9th Judicial Circuit.

Message from the Senate.

Senate, November 12, 1863.

Mr. Speaker :

The Senate concurs in the resolution of the House to bring on the election of Solicitor for the 9th Judicial Circuit.

The Senate appeared within the hall of the House, when the two Houses, in joint convention, proceeded to the election of Solicitor for the 9th Judicial Circuit.

Mr. Ligon, of the Senate, placed in nomination the name of J. J. Martin.

Mr. H. I. M. Kennon placed in nomination the name of S. F. McCoy.

Mr. Barnes, of the Senate, placed in nomination the name of J. E. F. McDonald.

Those who voted for Mr. McDonald are, Messrs. President, Barnes, Clarke, Critcher, Davis, Ervin, Groce, Hammond, Hardwick, Jackson, Lewis, McCall, Payne, Porter, Powell, Reavis, S. F. Rice, F. Rice, Toulmin, and Wood, of the Senate; Messrs. T. P. Ashe, Ashurst, Atkinson, Beard, Bell, Benners, Bethea, Bishop, Brandan, Brooks, Bryers, Carlisle, Chambers, Chapman, Charlton, Chisholm, Clarke, Coleman, Cooper, J. W. Davis, M. L. Davis, Dawson, Dent, Ellis, Foster, Gafford, Gardner, Gibson, Graves, Greathouse, Greene, Hanes, Holley, Hollis, Howell, John Keenan, Kilpatrick, Lewis, Manasco, Modawell, John Moore, McAlexander, McInnis, McClelland, Nisbet, Orr, Parish, Robeson, Scrnggs, Taylor, Towles, and Wolff, of the House—72.

Those who voted for Mr. Martin are, Messrs. Beeson, Brodnax, Garrett, Harrison, Hill, Ligon, and Peacock, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Barron, Bradley, Bryan, Cumming, Fannin, Head, Howard, Jones, Lawler, Leeper, Ligon, Magee, John G. Moore, Moulton, McCain, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Ryan, Seay, Sims, Sibley, Vanzandt, Vincent, West, and Williams, of the House—40.

Those who voted for Mr. McCoy are, Messrs. Cox, Franklin, H. I. M. Kennon, and McLemore, of the House—4.

Mr. McDonald having received a majority of the whole number of votes given, was declared by Mr. Speaker duly and constitutionally elected Solicitor for the 9th Judicial Circuit for the term prescribed by the constitution.

The Senate withdrew to its chamber.

House adjourned until 10 o'clock, to-morrow morning.

FRIDAY, NOVEMBER 13, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor, of this city.

The journal of yesterday was read and approved.

Message from the Governor by his private secretary, Mr. Taylor, on the subject of the University, which was referred to the committee on the University.

CALL OF THE COUNTIES.

The following bills were introduced, read three times, forthwith, and passed :

By Mr. Bryers, for the relief of indigent families of soldiers in Baldwin county ;

By Mr. Bell, to amend an act to provide for the election of State Printer, approved February 8, 1858.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Read, for the relief of indigent families of soldiers from the State of Alabama ;

By Mr. Vanzandt, to amend an act to regulate judicial proceedings, approved December 10, 1861 ;

By Mr. Clarke, for the relief of John Moon and S. Dinsmore ;
By Mr. Taylor, to repeal certain acts therein named, and to regulate judicial proceedings ;

By Mr. Atkinson, to exempt certain trust funds from taxation ;

By Mr. Leeper, for the relief of S. J. McKee, and to repeal an act therein named.

Mr. Chambers introduced a bill for the relief of the counties overrun by the public enemy ;

Mr. Manasco introduced a bill to authorize the distillation of grain for individual use in the county of Walker ;

Which bills were severally read twice, and referred to the committee on ways and means.

Mr. G. W. Ashe presented the petition of John T. Glidwell asking to be discharged from military service ;

Which was referred to the military committee.

Mr. Lewis introduced a bill to exempt the medical superintendent of the Alabama Insane Hospital and his assistants from the performance of military duty ;

Which was referred to the committee on the insane asylum.

Mr. John Moore introduced a bill to amend section 1143 of the code ; which was read twice, and referred to the committee on roads, bridges and ferries.

Mr. C. A. Parker introduced a bill to repeal in part an act declaring who shall be exempt from military duty in this State ;

Which was read twice, and referred to the committee on salt supply.

Mr. Leeper introduced a bill to amend sections 430, 431 and 432 of the code as to Shelby county ;

Which was read twice, and referred to the committee on local legislation.

Mr. Vanzandt introduced a bill to extend the time for the settlement and cultivation of lands entered under section 36 of the ordinance of the convention of Alabama, adopted 20th March, 1861 ;

Which was read twice and referred to the committee on public lands.

Message from the Senate. Senate, November 12, 1863.

Mr. Speaker :

The Senate has originated and passed a bill for the relief of Lindsey C. Spratling, of the county of Chambers.

The Senate concurs in the resolution of the House that the committee on military affairs of the two Houses act as a joint committee, &c. : and also in the resolution appointing a joint committee to prepare resolutions in response to the Virginia Legislature in reference to the currency of the Confederate States.

† Messrs. Reavis, Harrison and Ligon compose the Senate committee.

The Senate has adopted the following resolution :

Resolved, the House concurring, that the two Houses of the General Assembly will convene in the hall of the House on Saturday, the 14th inst.. at 12, m., to elect a solicitor for the 10th judicial circuit.

The Senate has originated and passed bills :

To repeal the act to induce railroad companies in this State to carry troops and munitions of war for this State free of charge :

To authorize administrators, guardians and trustees to receive the treasury notes of this State and of the Confederate States in payment for property sold as such ;

To abolish the office of public accounts in the county of Mobile.

The House amended the Senate resolution as to the election of solicitor for the 10th judicial circuit, by striking out Saturday, 14th inst., and inserting " to-day $\frac{1}{2}$ to 12, m.," and as amended, adopted the resolution.

Senate bills—

For the relief of L. C. Spratling, of Chambers ;

To abolish the office of public accounts in the county of Mobile ;

To amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863 :

Were severally read three times, forthwith, and passed.

Senate bill—To repeal an act to induce railroad companies in this State to carry troops and munitions of war for this State free of charge, was read twice, and referred to the committee on ways and means.

Senate bill—To authorize executors, administrators, guardians and trustees to receive the treasury notes of this State

and of the Confederate States in payment for property sold as such; was read twice, and referred to the judiciary committee.

Message from the Senate. Senate, November 13, 1863.

Mr. Speaker :

The Senate concurs in the amendment of the House to the Senate resolution as to the election of solicitor for the 10th judicial circuit.

REPORTS FROM COMMITTEES :

Mr. Benners from the military committee, reported adversely to the bill exempting T. O. Partridge, of Tallapoosa county from military duty, &c. ;

Which report and the bill, on motion of Mr. Parsons, was laid on the table.

The hour of 12, m. having arrived, the Senate appeared by invitation, in the hall of the House, when the two Houses in joint convention, proceeded to the election of solicitor for the 10th judicial circuit.

Mr. Gibson placed in nomination the name of John H. Caldwell, of Calhoun.

Mr. Parsons placed in nomination the name of John Henderson, of Talladega.

Mr. Brodnax, of the Senate, placed in nomination the name of B. T. Pope, Jr., of St. Clair.

Those who voted for Mr. Caldwell are, Messrs. President, Barnes, Clarke, Davis, Ervin, Garrett, Hammond, Harrison, Hill, Jackson, Lewis, McCall, Payne, Peacock, Porter, Powell, Reavis, S. F. Rice, Toulmin and Wood, of the Senate; and Messrs. Atkinson, Benners, Bethea, Bishop, Brooks, Bryan, Bryers, Brown, Chambers, Charlton, Chisholm, Clarke, Coleman, Cox, Cumming, M. L. Davis, Dawson, Dent, Ellis, Evans, Foster, Gafford, Gibson, Graves, Greathouse, Greene, Hames, Hollis, Howard, Jones, John Keenan, Kilpatrick, Magee, Modawell, John Moore, John G. Moore, McAlexander, McInnis, McLelland, McLemore, Nisbet, C. A. Parker, Price, Reid, Robeson, Ryan, Scruggs, Taylor, Towles, Vanzandt, Williams and Wolff of the House—72.

Those who voted for Mr. Henderson are, Messrs. Groce, and Ligon, of the Senate; and Messrs. Armstrong, Ashurst, Barron, Bell, Carlisle, Chapman, J. W. Davis, Fannin, Franklin, Gardner, Head, H. I. M. Kennon, Lawler, Leeper, McCain, Ogbourne, E. S. C. Parker, Parsons, Sims and West, of the House—22.

Those who voted for Mr. Pope are, Messrs. Beeson, Brodnax, Critcher and Hardwick, of the Senate; Messrs. Speaker, G. W. Ashe, T. P. Ashe, Beard, Bradley, Cobb, Holley, Howell, Ligon, Manasco, Orr, Parish, Seay and Vincent, of the House—18.

Mr. Caldwell having received a majority of the whole num-

ber of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected solicitor for the 10th judicial circuit for the term prescribed by the constitution.

The two Houses then proceeded to open and count the votes cast for Governor at the election held on 1st Monday in August, 1863.

VOTE FOR GOVERNOR.

COUNTIES—	T. H. WATTS.	J. G. SHORTER.	J. F. DOWDELL.
Autauga.....	526	70	32
Baldwin.....	150	67	2
Barbour.....	826	447	3
Bibb.....	616	32	1
Blount.....	242	168	3
Butler.....	797	42	61
Calhoun.....	745	574	45
Chambers.....	702	210	178
Cherokee.....	639	383	28
Choctaw.....	495	39	
Clarke.....	512	70	
Coffee.....	507	73	31
Conecuh.....	388	62	13
Coosa.....	1169	88	46
Covington.....	438	40	19
Dale.....	434	115	89
Dallas.....	863	107	6
DeKalb.....	331	272	
Fayette.....	421	162	22
Franklin.....	607	266	2
Greene.....	529	149	5
Henry.....	422	227	
Jackson.....	128	213	2
Jefferson.....	501	89	27
Lauderdale.....	214	207	
Lawrence.....	378	103	12
Livingston.....			
Lowndes.....	555	103	23
Macon.....	919	193	114
Madison.....	111	283	3
Marengo.....	525	130	6
Marion.....	140	158	7
Marshall*.....			
Mobile.....	959	857	
Monroe.....	453	33	28
Montgomery.....	1116	313	104
Morgan.....	275	182	
Perry.....	680	184	
Pickens.....	622	130	
Pike.....	966	229	139
Randolph.....	949	402	57
Russell.....	625	276	34
Shelby.....	977	55	8
St. Clair.....	79	1103	
Sumter.....	399	101	1
Talladega.....	1528	152	29
Tallapoosa.....	1037	85	251
Tuscaloosa.....	848	187	
Walker.....	272	62	32
Washington.....	109	65	
Wilcox.....	477	106	8
Winston*.....			
Total.....	28,221	9664	1471
Watt's majority over Dowdell.....	26,750		
“ “ over Shorter.....		18,557	
“ “ over both.....			17,084

The votes thrown aside, because illegally returned.

Mr. Watts having received the largest number of votes given, was declared by Mr. Speaker to be duly elected Governor of Alabama for the term prescribed by the constitution.

The Senate then withdrew to its chamber.

Mr. Chapman, from the judiciary committee, reported adversely to the bill for the relief of Boykin Goldsby ;

Which report, on motion of Mr. Manasco, was laid on the table, and the bill was ordered to be engrossed.

Mr. Parsons, from the same committee, reported favorably to the bill to prevent gaming in this State :

Which was read a third time and passed.

Mr. Benners, from the same committee, reported a substitute for the bill to amend an act to prevent false representations at Government agencies, &c.;

Which was adopted and ordered to be engrossed.

Mr. Taylor, from the same committee, reported favorably, with an amendment, to the bill for the relief of Wm. T. Smith ;

Which amendment was adopted, and the bill was read a third time and passed.

Mr. Clarke, from the same committee, reported favorably to the bill to prevent illicit trading with slaves ;

Which was read a third time and passed.

Mr. Lawler, from the committee on ways and means, reported favorably to the bills :

For the relief of Virginia Matthews ;

For the relief of S. B. Harmon ;

Which bills were severally read a third time and passed.

Also, from the same committee, reported adversely to the bill to amend the revenue laws ;

Which report, on motion of Mr. Bethea, was postponed until 11 o'clock to-morrow.

Mr. Bethea offered the following resolution which was adopted :

Resolved, That, with the concurrence of the Senate, the two Houses will meet in joint convention on Saturday, 14th instant, for the purpose of electing a superintendant of education for the State of Alabama.

Mr. Parsons offered a joint resolution on the subject of dividing votes upon committee of conference :

Which was adopted.

Message from the Senate :

Senate, November 13, 1863.

Mr. Speaker :

The Senate has adopted the following resolution .

Resolved, That the report of John Whiting, commissioner and trustee, be referred to a committee of three on the part of

the Senate, to act with a like committee on the part of the House, to settle his accounts, and to recommend such action to the two Houses as such committee deem proper.

Messrs. Rice of Montgomery, Hammoud, and Ervin, are the Senate committee.

The Senate has passed the following House bills :

To change the time of holding the courts in the 11th judicial circuit ;

To repeal an act to regulate the number of grand jurors in the county of Marion ;

To repeal an act therein named.

House adjourned until 10 o'clock to-morrow morning.

November 14. 1863

House met pursuant to adjournment.

Prayer by the Rev. Mr. Greathouse, of the House.

Journal was read and approved.

Mr. Speaker laid before the House the report of the Auditor of the State, which was referred to the military committee.

CALL OF THE COUNTIES.

The following bills were introduced, read three times forthwith, and passed :

By Mr. J. W. Davis, to give jurisdiction of the estate of Wm. Garner to the judge of probate of Bibb county ;

By Mr. Lewis, to provide for insane convicts sent from the Penitentiary to the Alabama insane hospital ;

By Mr. Bradley, to amend the charter of the city of Huntsville ;

By Mr. Dawson, to regulate the courts of the middle chancery division, during the war ;

By Mr. E. S. C. Parker, to repeal an act to authorize justices of the peace to appoint overseers of roads, and for other purposes, in the county of Coosa.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Gafford, to reform the law as to advertising absconding slaves ;

By Mr. Cumming, for the relief of E. P. Holcombe, of Lowndes county ;

By Mr. McInnis, for the protection of artesian salt wells in this State.

Mr. Speaker laid before the House a record of divorce, which was referred to the judiciary committee.

The following bills were introduced, read twice, and referred to the committee on ways and means :

By Mr. Vanzandt, to amend an act to provide for the support of indigent families of soldiers, &c., approved November 12, 1862 ;

By Mr. Dawson, for the relief of John Moseley, tax collector of Dallas county ;

By Mr. Leeper, to repeal an act to regulate the sale and exportation of corn ;

The following bills were introduced, read twice, and referred to the military committee ;

By Mr. Leeper, to amend the military law of Alabama ;

By Mr. G. W. Ashe, presented the petition of David Wood, of St. Clair county, for exemption from military service.

Message from the Governor by his private secretary, Mr. Taylor.

Mr. Speaker :

I am instructed by the Governor to deliver the House of Representatives a message to the General Assembly in reference to the exemption of certain officers of the State from the military service of the Confederate States.

Also, a message in relation to explorations for lead within the State of Alabama, with report of survey for that purpose;

Which messages were read and referred to the committee on ways and means.

Mr. Cox introduced a bill for the relief of Duncan Findley;

Which was read twice, and referred to the committee on 16th section.

Mr. Read introduced a bill to prevent speculation in articles of prime necessity ;

Which was read twice and laid on the table.

Mr. Sykes presented the account of the State of Alabama against A. E. O'Neal and Samuel J. W. Mills ;

Which was referred to the committee on accounts and claims.

REPORTS FROM COMMITTEES :

Mr. Magee, from the committee on ways and means, reported favorably to the bill to repeal an act to prevent extortion and other acts therein named ;

Which was ordered to be engrossed.

Mr. Modawell, from the committee on public lands, reported favorably to the bill for the relief of the heirs of John Flood McGrew ;

Which was ordered to be engrossed.

Mr. Kilpatrick, from the same committee, reported favora-

bly to the bill to authorize the judge of probate of Lowndes county to record a certain paper :

Which was ordered to be engrossed.

Mr. Modawell, from the same committee, reported favorably to the bill to amend section 1803 of the code as to Shelby county :

Which was referred to the judiciary committee.

Mr. Leeper, from the same committee, reported favorably with an amendment, to the bill for the relief of James H. Armstrong ;

Which amendment was adopted, and, on motion of Mr. Coleman, the bill was laid on the table.

The hour of 12, m., having arrived, the House proceeded to the consideration of the special orders, the first being the bill to amend the revenue laws of this State, the question being upon concurring in the adverse report of the committee, and the same was concurred in.

The next special order being the joint resolution in reference to the currency, which, on motion of Mr. Parsons, was postponed until Tuesday next, 17th inst., at 11, a. m.

Mr. Bishop, from the committee on corporations, reported favorably to the bill to incorporate the Dallas Oil Works.

Mr. Dawson moved to amend as follows, which was adopted :

Provided, that nothing contained in this act shall authorize the corporation to invest more than \$20,000 in real estate :

The bill was read a third time and passed.

Mr. Seay, from the same committee, reported favorably to the bill to increase the capital stock of the Woodville Insurance Company, which was read a third time and passed.

Mr. M. L. Davis, from the same committee, reported favorably, with an amendment, to the bill to increase the capital stock of the Selma Insurance Company, and the Planters' and Merchants' Insurance Company ;

Which amendment was adopted, the bill read a third time and passed.

Mr. Cumming, from the same committee, reported favorably to the bill to incorporate the Central Insurance Company :

Which was read a third time and passed.

Mr. C. A. Parker, from the committee on propositions and grievances, reported adversely to the bill for the relief of F. S. Blount :

Which report and bill, on motion of Mr. Taylor, were laid on the table.

Mr. McInnis, from the same committee, reported favorably to the bill for the relief of the heirs of Hardy Abney, dec'd ;

Which was read a third time, and passed.

Mr. Cobb, from the committee on roads, bridges, and ferries, reported favorably to the bill to amend section 1203 of the code;

Which was read a third time, and passed.

Message from the Senate.

Senate, November 14, 1863.

Mr. Speaker :

The Senate has originated and passed the following bills :

To authorize A. T. Kennedy to erect a fish trap in the Coosa river ;

To authorize Dr. J. S. Hays to erect a mill dam across the Black Warrior river, at Hychee Shoals, in Walker county ;

To authorize the governor to suspend the right of licensed retailers of spirituous liquors to retail or sell spirituous liquors within ten miles of any military encampment, whenever he may think the public good requires it.

The Senate has passed the House bill to authorize the administrator of J. M. Breazeal and Sarah K. Breazeal to remove the administration of said estate, &c.

Which Senate bills, referred to above in the message, were severally read three times, forthwith, and passed.

Mr. Vauzandt offered the following resolution, which was adopted :

Resolved, That the committee on retrenchment, with a view of lessening the expense of the State government, to inquire, 1st. what offices paying salaries can be abolished or suspended : 2d, what offices can be retrenched in the amount of the salaries ; with leave to report by bill or otherwise.

Mr. Graves offered the following joint resolution, which was adopted :

Resolved, by the Senate and House of Representatives, That the committee on education be, and are hereby, instructed to inquire, and report to this General Assembly, as to the expediency of abolishing the office of State superintendent and county superintendents of free public schools in Alabama.

Mr. Foster offered the following resolution, which was adopted :

Resolved, That the two Houses (the Senate concurring) meet in the hall of the House on Friday next, at 12, m., for the purpose of electing trustees of the University for the 3d, 6th, 7th and 10th judicial circuits.

Mr. J. S. Ashe offered the following resolution, which was adopted :

Resolved, That, with the concurrence of the Senate, the committee of each House on salt shall act as a joint committee, and report simultaneously to each House.

Mr. Charlton offered the following resolution :

Resolved, That, the Senate concurring, both Houses meet in the hall of the House on Tuesday, the 17th instant, at 12, m., for the purpose of electing a Senator to represent the State of Alabama for six years in the Confederate States Senate, from the expiration of the present term of the Hon. C. C. Clay.

Mr. Parsons moved to lay the resolution on the table :

Which was lost.

Mr. Sykes moved to strike out "Tuesday, the 17th instant." and insert "Saturday, the 21st instant:"

Which was carried.

Mr. Parsons moved to amend, by adding "and the election of State printer;"

Which was carried, and the resolution, as amended, was then adopted.

Mr. Graves offered the following resolution, which was adopted :

Resolved. That the committee on salt supply be instructed to inquire into, and report to this House, as to the expediency of selling or leasing the State salt made in Clarke county, or elsewhere.

Mr. Williams, from the committee on county boundaries, reported favorably to the bill for the relief of W. A. Rose ;

Which was read a third time, and passed.

Mr. Lawler offered the following resolution, which was adopted :

Resolved. That the committee on ways and means be instructed to report a bill appropriating such amount as may be necessary for the support of indigent families of soldiers during the year 1864.

Mr. Modawell offered the following resolution, which was adopted :

Resolved, That the Hon. Jno. R. Keenan, of Shelby county, be added to the committee on public lands.

Mr. Franklin introduced a bill for the relief of E. Shivers, of Dale county ;

Which was read three times, forthwith, and passed.

Engrossed bills—

For the relief of Boykin Goldsby and others ;

To prevent the impressment or purchase of property under false pretences ;

Which were read a third time, and passed.

Mr. Leeper introduced a bill to restrict section 3600 of the code ;

Which was read twice, and referred to the judiciary committee.

House adjourned until 10 o'clock, Monday morning.

MONDAY, November 16, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Mangum.

Journal was read, corrected, and approved.

The following bills were introduced, read three times, forthwith, and passed.

By Mr. Kilpatrick, authorizing overseers of roads to serve process in certain cases :

By Mr. Manasco, to regulate the number and pay of grand and petit jurors in Walker county ;

By Mr. M. L. Davis, making an appropriation to pay the members and officers of the General Assembly.

Mr. Kilpatrick introduced a bill to increase the per diem of the commissioners and collectors and assessors of taxes of Clarke county :

Which was read twice.

Mr. Lewis moved to amend, by adding the county of Tuscaloosa :

Which was adopted, and the bill was read a third time, and passed.

The following bills were introduced, read twice, and referred to the committee on ways and means :

By Mr. Bryers, for the relief of R. Z. Barlow, tax collector and assessor of Baldwin county ;

By Mr. Modawell, to amend the revenue laws of this State.

The following bills were introduced, read twice, and referred to the committee on corporations :

By Mr. Taylor, to incorporate the factors' and grocers' marine and fire insurance company of Mobile ;

By Mr. Carlisle, to incorporate the Brundidge male and female academy.

The following bills were introduced, read twice, and referred to the military committee :

By Mr. Vanzandt, to amend an act to reorganize the militia of the State of Alabama, approved August 29, 1863 ;

By Mr. Bell, to amend the military laws of this State.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Dawson, to amend an act to authorize the Comptroller to draw his warrant on the Treasurer in favor of tax collectors, in certain cases, &c. ;

By Mr. Bradley, to regulate the times of holding the chancery courts of the northern division ;

By Mr. Benners, to repeal a portion of section 1585 of the code, and to provide that the time of ascertaining the value of

the advancements, shall be the time of appraisement of the estate to be distributed.

Mr. Seay introduced a bill to divorce Sina P. Williams from her husband Adam Williams ;

Which was read twice, when, on motion of Mr. Clarke, it was laid on the table.

Mr. Vanzandt introduced a bill to amend an act to increase the price of certain public lands belonging to the State of Alabama ;

Which was read twice, and referred to the committee on public lands.

Mr. Morrow introduced a bill to husband the resources of the State during the war :

Which was read twice, when, on motion of Mr. Modawell, the bill was laid on the table.

Mr. Head introduced a bill regulating omnibus charges :

Which was read twice, and ordered to a third reading.

Mr. Bryan introduced a bill for the relief of R. J. Harrison, of Macon county :

Which was read twice, and referred to the committee on propositions and grievances.

Mr. Cumming introduced a bill to provide cotton and wool cards for the indigent families of soldiers in this State :

Which was read twice, and referred to a select committee composed of Messrs. Cumming, Fannin, and Bradley.

REPORTS FROM COMMITTEES.

Mr. McAlexander, from the judiciary committee, reported adversely to a resolution to prevent extortion ;

Which was concurred in.

Mr. Cumming, from the same committee, reported favorably to the bill for the relief of certain government contractors.

Mr. Lawler, from the committee on ways and means, reported adversely to the bill to amend the revenue laws of this State :

Which report was concurred in.

Mr. Jones, from the same committee, reported adversely to the bill to authorize the distillation of grain for individual use in the county of Walker :

Which report, on motion of Mr. Manasco, was laid on the table—yeas 45, nays 35.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Bell, Bethea, Bishop, Bryan, Bryers, Clarke, Cobb, Cooper, J. W. Davis, M. L. Davis, Dawson, Dent, Ellis, Evans, Greathouse, Greene, Head, Holley, Hollis, Howell, John Kee-

nan, Kilpatrick, Leeper, Lewis, Ligon, Malone, Manasco, John Moore, John G. Moore, Morrow, McClelland, McLemore, Ogbourne, Orr, Parsons, Seay, Sykes, Taylor, Towles, Vanzandt, Vincent, West, and Williams—45.

Those who voted in the negative are, Messrs. Speaker, T. P. Ashe, Atkinson, Barron, Beard, Benners, Bradley, Brown, Charlton, Chisholm, Coleman, Cox, Cumming, Foster, Franklin, Gardner, Hames, Jones, H. I. M. Kennon, Lawler, Magee, Modawell, McAlexander, McInnis, Nisbet, Parish, C. A. Parker, E. S. C. Parker, Price, Reid, Robeson, Ryan, Scruggs, Sibley, and Wolff—35.

On motion of Mr. Parsons, the bill was referred to the judiciary committee.

Mr. Jones, from the same committee, reported adversely to the resolution for a tax in kind for the indigent families of soldiers, &c. ;

Which was concurred in.

Mr. Price, from the same committee, reported favorably to the Senate bill to repeal an act to induce railroad companies of this State to carry troops and munitions of war for this State, free of charge.

Mr. Bethea moved to amend as follows, which was adopted :

Provided, That nothing in the foregoing act shall in any manner interfere with contracts or agreements already made, or with any railroad companies in pursuance of the act entitled, "an act to induce railroad companies in this State to carry troops and munitions of war for this State, free of charge," approved 7th February, 1861.

The bill was read a third time, forthwith, and passed.

Message from the Governor by Mr. Taylor, private secretary.

Mr. Speaker :

I am instructed by the Governor to deliver to the House of Representatives a message in relation to the heroic conduct of Miss Emma Sanson, at Black Creek Ford in Cherokee county ;

Which was read and referred to a select committee composed of Messrs. Cooper, Taylor and Benners.

Mr. Taylor reported favorably to the bill for the relief of those counties which are overrun by the public enemy ;

Which was ordered to be engrossed.

Mr. Ligon, from the committee on local legislation, reported favorably to the bill to amend sections 430, 431 and 432 of the code, as to Shelby county ;

Which was ordered to be engrossed.

Mr. Cobb, from the committee on roads, bridges and fer-

ries, reported favorably to the bill to amend section 1143 of the code ;

Which was orderad to be engrossed.

Mr. Jones offered the following resolution, which was adopted :

Resolved, That, the Senate concurring, the two Houses of the General Assmby will convene in the hall of the House on Tuesday, 18th inst., at 12, m., to elect a solicitor for the 8th judicial circuit ;

Which resolution was ordered to the Senate.

Mr. Lawler offered the following resolution, which was adopted :

Resolved, That the committee on ways and means be instructed to report a bill so amending the revenue laws of this State as to provide sufficient revenue to defray the annual expenses of the State, including appropriations for the support of the indigent families of soldiers, and thereby avoid the necessity of a further sale of bonds or the issue of treasury notes.

Mr. Parsons offered the following resolution, which was adopted :

Resolved, That the committee on ways and means are hereby instructed to inquire and report by bill, or otherwise, whether any, and what retrenchment can be made in the expenses of the various offices of this State, including those of Commissioner of Public Lands, Adjutant General's office, Q. M. General's office, Ordnance Department and Auditor of Military Accounts.

Mr. Nisbet offered the following resolution, which was adopted :

Resolved, That the committee on ways and means be instructed to inquire into the condition of the Alabama hospital at Richmond, Va., and report to this House whether any legislative action is necessary to sustain said hospital.

Message from the Senate :

Senate, November 16, 1863.

Mr. Speaker :

The Senate has originated and passed the following bills :

To pay Reese Howell for a slave executed ;

To authorize the several judges of probate of this State to appoint clerks in their offices ;

To allow probate judges to appoint special administrators in certain cases ;

To amend the law in relation to the printing and publication of the reports of the decisions of the Supreme court ;

For the relief of William Hulsey, tax collector of Walker county.

The Senate concurs in the following joint resolutions :

To regulate the vote of committees of conference.

The Senate has passed House bills—

For the relief of T. C. Greenhill, &c. ;

To authorize the action of ejection ;

For the relief of the estate of Wm. T. Smith ;

For the relief of indigent families of soldiers in Baldwin county ;

The above Senate bills were severally read twice, and referred to the judiciary committee.

Mr. Speaker laid before the House a record of divorce :

Which was referred to the judiciary committee.

Also laid before the House a report from the comptroller ;

Which was read and referred to the committee on ways and means.

Mr. Ogbourne introduced a bill to increase the fees of Sheriffs in case of detinue, writs of attachment, &c. ;

Which was read twice, and referred to the judiciary committee.

Engrossed bill—To repeal an act to prevent extortion, &c. ;

Was read a second time, and made special order for Thursday, at 12, m.

Engrossed bills—

For the relief of the heirs of John Flood McGrew ;

To authorize the judge of probate of Lowndes county to record a certain paper ;

Were read a third time and passed.

Mr. Cobb introduced a bill requiring military duty of those who have substitutes in the army ;

Which was read twice, and referred to the military committee.

Mr. Modawell introduced a bill to authorize the judge of the 6th judicial circuit to fix the place of holding the circuit court in Baldwin county ;

Which was read twice, and referred to the judiciary committee.

Mr. Kilpatrick offered the following resolution, which was adopted :

Resolved, That the Hon. T. P. Ashe be added to the committee on salt supply.

House adjourned until 10 o'clock to-morrow morning.

November 17, 1863.

House met pursuant to adjournment.

Prayer by the Rev. J. M. Mitchell, of this city.

Journal was read and approved.

Mr. Speaker laid before the House the report of the impressment agents ;

Which was referred to the committee on ways and means.

CALL OF THE COUNTIES.

The following bills were introduced, read twice, and referred to the committee on the judiciary :

By Mr. Coleman, to enable married women the more effectually to recover property secured to them by the code ;

Also, to increase the fees now allowed by law for apprehending and committing to jail runaway slaves ;

By Mr. Taylor, to repeal an act the more effectually to provide for the redemption of real estate, &c. ;

Also, to amend sections 2164 and 2875 of the code ;

By Mr. Lawler, a memorial to the General Assembly of Alabama from Lewis G. Sturdivant ;

By Mr. J. Moore, to regulate solicitors' fees in certain cases.

The following bills were introduced, read twice, and referred to the military committee :

By Mr. Clarke, to exempt certain persons from military duty in this State ;

By Mr. Evans, joint resolutions in relation to free negroes in Choctaw and Washington counties ;

Mr. Benners presented the petition of various citizens of Greene county ;

Mr. G. W. Ashe presented two petitions from the citizens of St. Clair ;

Which were referred to the military committee.

Mr. Magee introduced a bill to prohibit the distillation of grain in this State ;

Mr. Bell introduced a bill to more effectually put a stop to extortion in money and provisions of all kinds ;

Which bills were severally read twice, and referred to the committee on ways and means.

Mr. Bryers introduced a bill for the relief of Sedwin Dolive, and Alexander Dolive, of Baldwin county ;

Mr. Modawell introduced a bill for the relief of N. Y. Alston ;

Which bills were severally read twice, and referred to the committee on privileges and elections.

The following bills were introduced, read three times, forthwith, and passed.

By Mr. Malone, to amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863 ;

By M. L. Davis, to regulate the election of commissioners of roads and revenue in the county of Marion ;

By Mr. Bethea, to authorize the destruction of mutilated change bills of this State ;

By Mr. Ogbourne, to authorize F. C. Pinkston to erect a gate across the Ray road in Montgomery county ;

Mr. Vanzandt introduced a bill to abolish the office of tax assessor in this State, &c. ;

Which was read twice, and, on motion of C. A. Parker, was laid on the table.

Mr. Dawson introduced a bill to incorporate the Mobile and Selma Coal Mining Company ;

Which was read twice, and referred to the committee on corporations.

Mr. Read moved to instruct the judiciary committee to report back a certain bill for the relief of indigent families of soldiers for the State of Alabama ;

Which motion was carried, and said bill was referred to a select committee composed of the Barbour and Calhoun delegations.

Mr. Hames introduced a bill for the relief of Wiley Glover, of Calhoun county ;

Which was read twice, and referred to the committee on 16th section.

REPORTS FROM COMMITTEES.

Mr. Dawson, from the judiciary, reported favorably to the bill to amend the law in relation to absconding slaves ;

Which was read a third time and passed.

Mr. Sykes, from the committee on 16th section, reported favorably to the bill for the relief of Duncan Findley.

Mr. Parker, from the committee on propositions and grievances, reported favorably to the bill for the relief of B. J. Harrison.

Mr. Manasco, from the committee on accounts and claims, to which was referred petitions, reported a bill for the relief of Stephen Gibson, of Lawrence county ;

Which was read twice.

Mr. Ogbourne, from the committee on State Capitol, reported a bill for repairing the State Capitol ;

Which was read twice and ordered to be engrossed.

Mr. Ogbourne offered the following resolution, which was adopted :

Resolved, That a committee of three be appointed by the chair, to act with a like committee of the Senate, to wait up-

on ~~the~~ Hon. T. H. Watts, to inform him of his election to the office of Governor of the State of Alabama, and to ascertain at what time it will suit him to take the oath of office.

Messrs. Ogbourne, Dawson and Bradley compose said committee.

Mr. Read, from the committee on salt supply, reported favorably to the bill to authorize the commissioners' court of Clarke county to make salt, &c.;

Which was ordered to be engrossed.

The hour of 11 o'clock having arrived, the House proceeded to the consideration of the special order, to-wit: resolution in relation to the currency.

Mr. C. A. Parker moved the indefinite postponement of the subject.

Mr. Parsons moved to make it the special order for Friday, at 11 o'clock;

Which motion was carried.

Mr. Ogbourne from the select committee to wait on the Governor elect, the Hon. T. H. Watts, reported that the committee had performed its duty, and that the 1st day of December, proximo, being Tuesday, would be a suitable day for his inauguration as governor of the State of Alabama.

The hour of 12, m., having arrived, the Senate, by invitation, appeared within the hall of the House, when the two Houses, in joint convention, proceeded to the election of solicitor for the 8th judicial circuit.

Messrs. James M. Arrington of Pike, J. McCaleb Wiley of Pike, A. W. Starke of Pike, and W. C. Oates of Henry, being in nomination:

Those who voted for Mr. Arrington are, Messrs. President, Beeson, Clarke, Critcher, Garrett, Groce, Hammond, Hardwick, Hill, Ligon, Reavis, S. F. Rice, Toulmin, and Wood, of the Senate; Messrs. Armstrong, G. W. Ashe, T. P. Ashe, Ashurst, Atkinson, Barron, Bell, Benners, Bethea, Bradley, Brooks, Bryan, Bryers, Brown, Charlton, Clarke, Cobb, Coleman, Cumming, M. L. Davis, Dawson, Dent, Ellis, Fannin, Gardner, Greathouse, Hames, Hollis, Howell, John Keenan, Kilpatrick, Leeper, Ligon, Magee, Malone, Manasco, May, Modawell, John Moore, John G. Moore, McAlexander, McCain, McInnis, McClelland, Ogbourne, Orr, Price, Reid, Robeson, Ryan, Scruggs, Seay, Sibley, Taylor, Vanzandt, Vincent, and West, of the House—71.

Those who voted for Mr. Wiley are, Messrs. Barnes, Brodnax, Davis, Ervin, Jackson, McCall, Payne, Peacock, and Powell, of the Senate; Messrs. Speaker, Chisholm, Cooper, J. W. Davis, Foster, Graves, Head, Holley, Howard, McLemore, Parsons, Sykes, and Towles, of the House—22.

Those who voted for Mr. Oates are, Messrs. Brandan, Chambers, Franklin, Gafford, Greene, Jones, H. I. M. Kennon, Lawler, Nisbet, Parish, and Williams, of the House—11.

Those who voted for Mr. Starke are, Messrs. Harrison and Porter, of the Senate; Messrs. Carlisle, Cox, Evans, Lewis, Morrow, C. A. Parker, and Wolff, of the House—9.

Mr. Arrington having received a majority of the whole number of votes given, he was declared by Mr. Speaker to have been duly and constitutionally elected solicitor for the 8th judicial circuit for the term prescribed by the constitution.

Leave of absence was granted Messrs. Bishop, Sims, and Gibson.

Engrossed bills—

To amend section 1143 of the code;

For the relief of certain government contractors;

For the relief of the counties which are overrun by the public enemy;

Regulating omnibus charges;

Were severally read a third time, and passed.

Message from the Senate:

Senate, November 17, 1863.

Mr. Speaker:

The Senate has originated and passed the following bills:

To authorize the governor to lease the public lands for certain purposes;

For the relief of tax assessors;

To provide for carrying into execution joint resolutions in relation to the volunteers, approved November 5, 1862.

The Senate has also passed the following House bills:

To give jurisdiction of the estate of Wm. Garner to the probate judge of Bibb county;

To increase the capital stock of the Selma insurance and trust company, and planters' and merchants' insurance company;

To amend the charter of the city of Huntsville;

To repeal an act authorizing justices of the peace to appoint overseers of roads in the county of Coosa;

To increase the capital stock of the Woodville insurance company.

The Senate concurs in the resolutions of the House, that the committees on salt supply shall act as a joint committee, &c.; that the committees on education of the two Houses be, and they are hereby instructed to inquire and report to this General Assembly, as to the expediency of abolishing the offices of State and county superintendents of free public schools in Alabama.

The Senate has adopted the following resolution :

Resolved, That a committee of three be appointed, to act with a like committee of the House, to wait upon the Hon. T. H. Watts, and inform him of his election, and ascertain when it will suit his convenience to take the oath of office as Governor of the State of Alabama.

Senate bill to provide for carrying into effect the joint resolutions in relation to Alabama volunteers ;

Was read twice, and referred to the military committee.

Senate bill for the relief of tax assessors ;

Was read twice, and referred to the committee on ways and means.

Senate bill to authorize the governor to lease the public lands for certain purposes ;

Was read three times, forthwith, and passed.

House then adjourned until 10 o'clock to-morrow morning.

NOVEMBER 18, 1865.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Jordan, of this city.

Journal was read and approved.

CALL OF THE COUNTIES.

The following bills were introduced, read three times, forthwith, and passed.

By Mr. Chambers, to amend an act to incorporate the Eufaula marine and fire insurance company, approved February 9, 1861 ;

By Mr. Vincent, to authorize J. S. Moragne and R. B. Rhea to build a bridge across Big Will's creek ;

By Mr. Moulton, to change the name of Cecilia Talbot.

The following bills were introduced, read twice, and referred to the committee on corporations :

By Mr. Chambers, to aid in supplying indigent families of soldiers with cotton yarns ;

By Mr. Vanzandt, to amend the revenue laws of this State ;

By Mr. Holley, to amend the 7th section of the revenue law, approved 9th December, 1862.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Sykes, to preserve the property of non-residents ;

By Mr. May, for the relief of Robert Rives ;

By Mr. Leeper, to increase the fees of the officers of the State and counties.

Mr. Hollis introduced a bill to amend an act declaring who shall be exempt from militia duty in this State ;

Which was read twice, and referred to the military committee.

Mr. Parsons presented the petition of Capt. W. D. Robison, of the 13th Alabama regiment ;

Which was referred to the military committee.

Mr. Fannin introduced a bill to provide for the appointment of overseers of roads in certain cases, and amendatory of section 1142 of the code ;

Which was read twice, and referred to the committee on roads, bridges, and ferries.

Mr. M. L. Davis introduced a bill to require railroad companies to keep lights on their trains ;

Which was read twice, and referred to the committee on propositions and grievances.

Mr. Taylor introduced a bill for the relief of the receiver in the land office at St. Stephens ;

Which was read twice, and referred to the committee on public lands.

Mr. Chapman introduced a bill for the relief of Lewis Anderson ;

Which was read twice and referred to the committee on county boundaries.

Message from the Governor by Mr. Taylor.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives :

An act to repeal an act to regulate the number of grand jurors in the county of Marion ;

An act to repeal an act therein named relating to the county of Coffee ;

An act to authorize the administrator of the estate of J. H. Breazeal and Sarah K. Breazeal to remove the administration of said estate from the county of Lowndes to the county of Dallas ;

An act to change the time of holding the courts of the 11th judicial circuit ;

An act to repeal an act therein named.

Mr. Vanzandt moved to suspend the business before the House, to take from the table the bill to abolish the offices of tax assessors in the State of Alabama, &c. ;

Which motion was carried.

The bill was then referred to the committee on ways and means.

REPORTS FROM THE JUDICIARY COMMITTEE :

Mr. Parsons reported favorably to the bill to pay Reese Howell for a slave executed ;

Which, on motion of Mr. Parsons, was laid on the table.

Mr. Dawson reported favorably, with an amendment, to the bill to amend the law in relation to the printing and publication of the reports of the decisions of the supreme court ;

Which bill was ordered to a third reading.

Also, favorably to the bill to authorize executors, guardians, administrators, and trustees, to receive treasury notes of this State, and of the Confederate States, in payment for property sold by them as such.

Also, a substitute for the bill for the relief of the heirs of Catharine Baker ;

Which was adopted, the bill read a third time, and passed.

Mr. Parsons reported favorably to the bills :

To authorize and empower the governor to rescind contracts in certain cases ;

For the protection of artesian salt wells in this State ;

And favorably to the Senate bills :

For the relief of William Halsey, tax collector of Walker county ;

To authorize the several probate judges to appoint clerks for their offices ;

Mr. Lewis moved to amend, by an additional section, as follows :

That, in all cases when a clerk shall be appointed under the provisions of this act, it shall not be obligatory on the judge to be present on Mondays, Tuesdays, and Saturdays, of each week, as required by section 668 of the code ;

Which was lost.

The foregoing bills were ordered to be engrossed.

Also, reported adversely to the bills :

To increase the fees of sheriffs in cases of detinue, writs of attachment, and for setting apart dower ;

To exempt trust funds from taxation ;

Which adverse reports were concurred in.

Also, adversely to the bill for the relief of M. J. McKie ;

Which report, with the bill, on motion of Mr. Bethea, were laid on the table.

Mr. Taylor reported favorably, with an amendment, to the Senate bill to allow probate judges to appoint special administrators in certain cases ;

Which amendment was adopted, and the bill ordered to a third reading.

Mr. Lawler, from the committee on ways and means, reported adversely to the bills :

To amend the revenue laws of this State ;

To amend an act to provide for the support of indigent families of soldiers, &c., approved November 12, 1862 ;

Which reports were concurred in.

Also, from the same committee, suggests that so much of the resolution as relates to the military officers be referred to the military committee, and the remainder to the committee on public lands ; and asks to be discharged from the further consideration of the same ;

Which report was concurred in.

Mr. Magee, from the same committee, reported favorably, with an amendment, to the bill for the relief of R. Z. Barlow, &c. ;

Which amendment was adopted, and the bill read a third time, and passed.

On motion of Mr. Reid, Mr. Graves was added to the committee on education.

Mr. J. Keenan, from the committee on public lands, reported adversely to the bill to amend an act to increase the price of certain public lands belonging to the State of Alabama ;

Which report was concurred in.

Mr. Taylor, from the committee on corporations, reported favorably to the bill to amend the charter of the city of Selma ;

Mr. May, from the same committee, reported favorably to the bill to incorporate the factors' and grocers' marine and fire insurance company of Mobile ;

Mr. Cumming, from the same committee, reported favorably to the bill to incorporate the Brundidge male and female academy ;

Which bills were severally read a third time, and passed.

Leave of absence was granted to Mr. H. I. M. Kennon.

Message from the Governor by Mr. Taylor,

Which was referred to the committee on banks and banking.

Mr. Cooper, from the select committee, reported joint resolutions donating a section of land and medal to Miss Emma Sansom, of Cherokee county, in consideration of public services by her rendered ;

Which were read three times, forthwith, and passed—yeas 85, nays 00.

Those who voted in the affirmative are, Messrs. Speaker, G. W. Ashe, T. P. Ashe, Ashurst, Atkinson, Barron, Bell, Benners Bethea, Bradley, Brandan, Brooks, Bryan, Bryers, Brown, Carlisle, Chambers, Chapman, Charlton, Chisholm, Clarke, Cobb, Coleman, Cooper, Cox, Cumming, J. W. Davis, M. L. Davis, Dawson, Ellis, Evans, Fannin, Foster, Franklin, Gafford, Gardner, Graves, Greathouse, Greene, Hames, Hollis, Howard, Howell, Jones, John Keenan, H. I. M. Kennon, Kilpatrick, Lawler,

Leeper, Lewis, Ligon, Magee, Malone, Manasco, May, Mitchell, Modawell, John Moore, John G. Moore, Morrow, Moulton, Mc-Alexander, McCain, McInnis, McClelland, McLemore, Nisbet, Ogbourne, Orr, Parish, C. A. Parker, E. S. C. Parker, Parsons, Reid, Ryan, Scruggs, Seay, Sibley, Sykes, Taylor, Towles, Vanzandt, Vincent, Williams, and Wolff—85.

Message from the Governor by Mr. Taylor, upon the subject of military hospitals, ladies' aid society of Mobile, Doctor Clark's report of Richmond hospital, Mrs. A. F. Hopkins' report of Hospital, 1863, which were severally referred to the committee on ways and means.

Message from the Senate :

Senate, November 18, 1863.

Mr. Speaker :

The Senate has originated and passed the following bills :

To authorize registers in chancery to take forthcoming bonds in certain cases ;

To provide spinning or cotton or wool cards ;

And passed House bill for the relief of E. Shiver, of Dale county.

The Senate bill as to registers in chancery ;

Was read three times, forthwith, and passed.

The following engrossed bills were read a third time, and passed :

To amend sections 430, 431 and 432 of the code, as to Shelby county ;

To authorize the commissioners of Clarke county to make salt, &c. ;

For the relief of Duncan Findlay :

For the relief of Stephen Gibson.

Engrossed bill for the relief of B. J. Harrison ;

Was read a third time, and laid on the table.

Mr. G. W. Ashe introduced a bill to amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863 ;

Which was read three times, forthwith, and passed, and ordered at once to the Senate.

Mr. Brown offered the joint resolution for confiscating the estates of free persons of color residing beyond the limits of the Confederate or slave States.

Mr. Foster offered joint resolutions in relation to substitutes in the Confederate army ;

Which, on motion of Mr. Clarke, were laid on the table—yeas 49, nays 24.

Those who voted in the affirmative are, Messrs. Speaker, G. W. Ashe, Ashurst, Barron, Bell, Bemers, Bethea, Brandan,

Brooks, Bryers, Brown, Carlisle, Chambers, Chapman, Charlton, Clarke, Coleman, Cox, Cumming, Dawson, Ellis, Gafford, Graves, Greathouse, Greene, Hames, Holley, Howard, Howell, John Keenan, Kilpatrick, Ligon, May, Mitchell, Modawell, John Moore, Moulton, McCain, McLemore, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Reid, Ryan, Scruggs, Sykes, Towles, and West--49.

Those who voted in the negative are, Messrs. Bradley, Chisholm, Cobb, M. L. Davis, Evans, Fannin, Foster, Franklin, Gardner, Hollis, Lawler, Manasco, John G. Moore, Morrow, McAlexander, McInnis, Nisbet, Parish, Parsons, Seay, Sibley, Vanzandt, Vincent, and Williams--24.

Mr. Dawson introduced a bill to amend section 10 of the revenue laws of this State ;

Which was read twice, and referred to the committee on ways and means.

House then adjourned until 10 o'clock to-morrow morning.

NOVEMBER 19, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Jordan, of this city.

Journal was read and approved.

CALL OF THE COUNTIES.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Cobb, to protect agents and attorneys, who, in good faith, receive treasury notes ;

By Mr. Brown, to amend an act to authorize executors, administrators, &c., to make loans to the Confederate States, and to purchase and receive in payment for debts due them bonds and treasury notes of the Confederate States or of the State of Alabama, &c., approved November 9, 1861 ;

By Mr. Moulton, to increase the salaries of judges and other officers therein named.

By Mr. Leeper, to amend an act therein named ;

Mr. Manasco introduced a bill to authorize the commissioners' court of Walker county to levy a tax for county purposes ;

Which was read three times, forthwith, and passed.

Mr. McCain introduced a bill to repeal section 3948, and to amend section 3963 of the code ;

Which was read twice, and referred to the committee on penitentiary.

Mr. M. L. Davis presented the account of Griffin White, jailor ;

Which was referred to the committee on accounts and claims.

REPORTS FROM MILITARY COMMITTEE.

Mr. Benners reported adversely to the bill to exempt certain persons in this State ;

Mr. Chambers reported adversely to the bills to amend an act to re-organize the militia of the State of Alabama, approved August 29, 1863 :

To amend the military laws of this State :

For the relief of certain persons therein named ;

Which reports were concurred in.

Mr. Benners reported adversely to the bill requiring military duty of those who have substitutes in the Confederate army ;

Which was concurred in—yeas 48, nays 39.

Those who voted in the affirmative are, Messrs. Ashurst, Atkinson, Barron, Benners, Bethea, Bryan, Bryers, Brown, Carlisle, Chambers, Chapman, Chisholm, Coleman, Cooper, Cox, J. W. Davis, Dawson, Dent, Foster, Franklin, Gardner, Graves, Greathouse, Hames, Howard, Howell, Jones, Lawler, Leeper, Magee, May, Mitchell, John G. Moore, Morrow, Moulton, McAlexander, McCain, Nisbet, Parish, C. A. Parker, Parsons, Price, Reid, Robeson, Ryan, Scruggs, Sivley, Taylor, Williams and Wolff—48.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, Bell, Bradley, Brandan, Clarke, Cobb, Cumming, M. L. Davis, Ellis, Evans, Fannin, Gafford, Greene, Head, Holley, Hollis, John Keenan, Kilpatrick, Ligon, Malone, Modawell, John Moore, McInnis, McLelland, McLemore, Ogbourne, Orr, Seay, Sykes, Towles, Vanzandt, Vincent and West—39.

Mr. Benners reported favorably, with an amendment, to the bill in relation to free negroes in Choctaw and Washington counties ;

Which amendment was adopted.

Mr. Parker moved to lay the bill on the table .

Which was lost.

Mr. Chambers moved to refer the bill to the judiciary committee ;

Which was carried.

REPORTS FROM THE JUDICIARY COMMITTEE.

Mr. Dawson reported adversely to the bill for the relief of John Moon and David Dinsmore

Which was concurred in.

Mr. Parsons reported favorably, with amendments, to the bill to provide for the maintenance of law and order, &c., and on motion, the bill and amendments were postponed until Saturday next, at 12, m., and made special order for that hour.

Mr. Bethea, from the committee on ways and means, reported back the bill the more effectually to put a stop to extortion in money and provisions of all kinds, and asked that it be referred to the judiciary committee ;

Which bill was so referred.

Mr. Lawler, from the same committee, reported a bill to repeal in part an act making appropriations for the military defense of this State, approved February 6, 1861, and other acts therein named, and for other purposes ;

Which was read three times, forthwith, and passed.

The hour of 12 o'clock having arrived, the House proceeded to the consideration of the special order, to-wit: the bill to repeal an act to prevent extortion, approved Dec. 9, 1862, and other acts therein named, the question being upon its passage, and the bill was passed.

House adjourned until 10 o'clock to-morrow morning.

NOVEMBER 20, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor.

Journal was read and approved.

CALL OF THE COUNTIES.

The following bills were introduced, read three times, forthwith, and passed.

By Mr. Chambers, to amend the charter of the Eufaula insurance company ;

By Mr. Cooper, to repeal a certain act for Cherokee county ;

By Mr. Franklin, authorizing the commissioners' court of Dale county to pay a certain claim ;

By Mr. Bethea, to attach the road leading from the eastern boundary of Adams street of the city of Montgomery, to the Line Creek road ;

Also, to remove the settlement of the guardianship of Julius C. Alford, deceased, late guardian of Julius S. Alford, from the probate court of Pike county to the probate court of Montgomery county.

By Mr. Reid, joint resolution to suspend licenses to retail liquors ;

Which was read, and ordered to a second reading.

By Mr. Dawson, for the relief of James M. Calhoun ;

By Mr. Bethea, to amend the charter of the Southern direct trading company ;

By Mr. Ogbourne, to authorize Catharine O. Hall, administratrix, to sell real estate ;

By Mr. Cox, for the relief of Augustus Richardson, of the county of Pike ;

Which bills were severally read twice, and referred to the judiciary committee.

By Mr. Seay, to allow Moody Baily, of Fayette county, to distil spirituous liquors for the benefit of the indigent families of soldiers of said county ;

By Mr. Cooper, to relieve the currency and to raise a fund for the relief of soldiers' families, widows and orphans ;

Which was read twice, and referred to the committee on ways and means.

Mr. M. L. Davis introduced a bill to incorporate the fast freight and forwarding company ;

Which was read twice and referred to the committee on corporations.

Mr. May introduced a bill for the relief of Nancy Barnes ;

Which was read twice, and referred to the committee on local legislation.

Mr. Head introduced a bill to grant pre-emption rights to widows and soldiers' children ;

Which was read twice, and referred to the committee on 16th section.

Mr. Ogbourne introduced a bill for the relief of Lt. John T. Holtzclaw, of Coosa county ;

Which was read twice, and referred to the committee on accounts and claims.

Mr. Lewis introduced a bill to amend an act in relation to the distillation of grain ;

Which was read twice, and referred to the committee on ways and means.

Senate bills—

To repeal and modify an act to regulate judicial proceedings, approved December 10, 1861 ;

Defining the duties of debtors and creditors in certain cases ;

Were read twice, and referred to the judiciary committee.

Joint resolution of the House in relation to soldiers' pay, which was amended in the Senate by way of substitute, was taken up, and, on motion of Mr. Sykes, was postponed until Monday next.

Leave of absence was granted to Mr. Cumming.

The hour of 11 o'clock having arrived, the special order in regard to the currency was considered, and, on motion, postponed until 11 o'clock on Wednesday.

REPORTS FROM THE JUDICIARY COMMITTEE :

Mr. Parsons reported adversely to the bill to amend sections 2164 and 2875 of the code ;

Mr. Chapman reported adversely to the bill to amend an act to authorize executors, administrators, &c., to make loans to the Confederate States ;

Mr. McAlexander reported adversely to the bill to prevent the further depreciation of the currency ;

Mr. Benners reported adversely to the bill for the relief of Robert Rives ;

Mr. Cumming reported adversely to the bill to protect agents and attorneys, &c. ;

Which several reports were concurred in.

Mr. Benners reported adversely to the bill to amend an act therein named ;

Which, on motion of Mr. Bethea, was laid on the table.

Mr. Clarke reported favorably, with an amendment, to the bill to preserve the property of non-residents ;

Which amendment was adopted; the bill was ordered to be engrossed.

Mr. Lawler, from the committee on ways and means, reported it inexpedient to legislate on the subject contained in the report of impressing agents ;

Which report was concurred in.

Also, reported adversely to the bill to amend section 10 of the revenue laws ;

Mr. Price, from the same committee, reported adversely to the bill to abolish the offices of tax assessors, &c. ;

Mr. Jones, from the same committee, reported adversely to the bill to aid in supplying indigent families of soldiers with cotton yarns ;

Mr. Cooper moved to re-commit the bill, with instructions, making a donation to the families of indigent soldiers in the army, and to the widows and orphans of those who are dead ;

Pending the consideration of which—

The hour of 12 o'clock having arrived, the two Houses, in joint convention, proceeded to the following elections for trustees of the University :

John R. Blocker alone being in nomination for the 3d circuit, and having received all the votes cast, Mr. Speaker declared him to have been duly and constitutionally elected.

The joint convention then proceeded to the election of trustee for the 6th circuit :

Peter Hamilton and A. B. Meek being in nomination :

Those who voted for Mr. Meek are, Messrs. President, Beeson, Brodnax, Clarke, Davis, Ervin, Garrett, Groce, Hardwick, Moren, McCall, Porter, Powell, Toulmin, and Wood, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, T. P. Ashe, Barron, Bryan, Brown, Chambers, Chisholm, Coleman, Cox, M. L. Davis, Dawson, Ellis, Evans, Fannin, Franklin, Gafford, Graves, Greene, Hames, Hollis, Howard, Howell, Jones, John Keenan, Kilpatrick, Lewis, Malone, Manasco, May, Modawell, John Moore, John G. Moore, Morrow, McAlexander, McCain, McInnis, McLemore, Orr, Parish, C. A. Parker, Reid, Robeson, Ryan, Scruggs, Sykes, West, and Williams, of the House—63.

Those who voted for Mr. Hamilton are, Messrs. Barnes, Critcher, Hammond, Harrison, Hill, Ligon, Payne, Reavis, and Rice of Montgomery, of the Senate; Messrs. Ashurst, Atkinson, Bell, Benners, Bradley, Brandan, Brooks, Bryers, Carlisle, Chapman, Charlton, Cobb, Cooper, Cumming, J. W. Davis, Dent, Foster, Gardner, Greathouse, Holley, Lawler, Leeper, Ligon, Magee, Mitchell, McClelland, Nisbet, Ogbourne, E. S. C. Parker, Parsons, Seay, Sibley, Towles, Vanzandt, Vincent, and Wolff, of the House—45.

Mr. Meek having received a majority of all the votes cast, Mr. Speaker declared him to have been duly and constitutionally elected.

The convention proceeded to ballot for trustee for the 7th circuit :

John T. Foster alone being in nomination, and having received a majority of all the votes given, was declared by Mr. Speaker to have been duly and constitutionally elected.

The convention then proceeded to ballot for trustee for the 10th circuit, and Geo. S. Walden alone being in nomination, and having received a majority of all the votes cast, was declared by Mr. Speaker to have been duly and constitutionally elected.

The convention then proceeded to the election of a Senator to fill the term caused by the expiration of the term of the Hon. C. C. Clay, jr.

Mr. Groce, of the Senate, placed in nomination the name of J. L. M. Curry, of Talladega.

Mr. Ogbourne placed in nomination the name of J. J. Sibles, of Montgomery.

Mr. Jackson, of the Senate, placed in nomination the name of Hon. C. C. Clay.

Those who voted for Mr. Curry are, Messrs. President, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Powell, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brooks, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—35.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—34.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—44.

Messrs. Moren, of the Senate, and Lawler, Lewis, and Mitchell, of the House, voted for Mr. R. H. Smith.

Mr. J. G. Moore, of the House, voted for Mr. John Cochran.

Mr. Moren moved that the convention adjourn till Wednesday next, at 12, m.

Which was lost—yeas 26, nays 88.

Those who voted in the affirmative are, Messrs. Ashurst, Bryan, Cooper, Cumming, M. L. Davis, Dent, Fannin, Foster, Franklin, Graves, Greathouse, Greene, Hollis, John Keenan, McLemore, Parish, Towles, Vincent, and Williams.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, T. P. Ashe, Atkinson, Barron, Bell, Benners, Bethea, Bradley, Brandan, Brooks, Bryers, Brown, Carlisle, Chambers, Chapman, Charlton, Chisholm, Clarke, Cobb, Coleman, Cox, J. W. Davis, Dawson, Ellis, Evans, Gafford, Gardner, Hames, Head, Holley, Howard, Howell, Jones, Kilpatrick, Lawler, Leeper, Ligon, Magee, Malone, Manasco, May, Mitchell, Modawell, John Moore, J. G. Moore, Morrow, McAlexander, McCain, McInnis, McClelland, Nisbet, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Robeson, Ryan, Scruggs, Sibley, Sykes, Taylor, Vanzandt, West, and Wolff.

The convention then proceeded to ballot a second time :

Those who voted for Mr. Curry are, Messrs. President, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Powell, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brooks, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—35.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, G. A. Parker, Price, Robeson, Towles, and Williams, of the House—32.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandau, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley-Sykes, Vanzandt, Vincent, and West, of the House—44.

Messrs. Moren, of the Senate, Lawler, Lewis, and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

Neither of the candidates having received a majority of the whole number of the votes given, the two Houses proceeded to the

THIRD BALLOT:

Those who voted for Mr. Curry are, Messrs. President, Co-man, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brooks, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—34.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—33.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate;

Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—46.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

FOURTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brown, Carlisle, Charlton, Cox, Fannin, Foster, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—33.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Brooks, Bryan, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Franklin, Gafford, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, and Towles, of the House—34.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

FIFTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—32.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Brooks, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Gafford, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—35.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate. Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

SIXTH BALLOT:

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—32.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Gafford, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—34.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

SEVENTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Bryan, Brown, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolf, of the House—33.

Those who voted for Mr. Clay are, Messrs. Brodnax, Clarke, Davis, Hill, Jackson, McCall, Payne, Reavis, and S. F. Rice, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—30.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith—3.

Messrs. Brooks and John G. Moore, of the House, voted for John Cochran—2.

Mr. Chambers moved to adjourn till 10 o'clock Monday next.

Which was lost.

Mr. Holley moved that the convention adjourn till 10 o'clock to-morrow:

Which was carried.

The Senate then withdrew, and

House adjourned till 10 o'clock to-morrow morning.

NOVEMBER 21, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Parker, of the House.

Leave of absence was granted to Mr. Greene.

CALL OF THE COUNTIES.

Mr. Bell introduced joint resolution to amend the constitution so as to allow soldiers to vote;

Which was read and ordered to a second reading to-morrow.

Mr. Brown introduced a bill to amend an act in relation to the support of indigent families of soldiers, &c.;

Which was read three times, forthwith, and passed.

Mr. Modawell introduced a bill to allow plaintiffs in suits at law to prove their claims by their own oaths to the amount of \$500, and to amend section 2313 of the code:

Which was read twice, and referred to the judiciary committee.

Mr. Ogbourne introduced a bill amendatory of an act to incorporate the city of Montgomery, approved Dec. 23, 1837;

Which was read three times, forthwith, and passed.

Mr. Chapman introduced a bill for the relief of A. S. Toler, administrator, and Susan J. Poole, administratrix, of R. R. Poole, deceased:

Which was read twice, and referred to the judiciary committee.

Mr. Parsons introduced bills

To amend an act, approved August 29, 1863, to aid the Confederate government in arresting deserters and others;

To secure the administration of justice in the trial of slaves under indictments;

To repeal sections 3222, 3223, and 3224 of the code:

To repeal sections 3487 and 3488 of the code;

Which bills were severally read twice, and referred to the judiciary committee.

Message from the Senate by Mr. Morgan.

Senate, November 20, 1863.

Mr. Speaker :

The Senate has passed the following House bills :

To provide for insane convicts sent from the penitentiary to the Alabama insane hospital:

To provide for election of State printer, approved Feb. 8, 1858;

For the relief of Boykin Goldsby and others;

To prevent impressment or purchase of property under false pretences;

To increase the pay of jurors in this State;

To prevent illicit trading with slaves:

For the relief of William A. Rose;

For the relief of the heirs of Catharine Baker.

The Senate has originated and passed the following bills :

For the establishment of an additional ferry on the Alabama river near the city of Montgomery;

To amend section 3600 of the code:

To amend sections 1869 and 1871 of the code;

In relation to the exemption of firemen from militia duty;

To allow probate judges to make publication in certain cases;

To ratify and confirm the agreement of the Governor of Alabama in manufacturing cotton and wool cards.

The following Senate bills were read twice, and referred to the judiciary committee :

To allow probate judges to make publication in certain cases :

To ratify and confirm the agreement of the Governor of Alabama in manufacturing cotton cards ;

To amend section 3600 of the code ;

To amend sections 1869 and 1871 of the code.

Senate bill in relation to the exemption of firemen from militia duty;

Was read twice, and ordered to a third reading.

Senate bill for the establishment of an additional ferry on the Alabama river near the city of Montgomery;

Was read twice, and referred to the committee on roads, bridges and ferries.

REPORTS FROM THE COMMITTEE ON WAYS AND MEANS :

Mr. Magee reported adversely to the Senate bill for the relief of tax assessors;

Mr. Bradley reported adversely to the bill to repeal an act to regulate the sale and exportation of corn;

Which reports were severally concurred in.

Mr. Benners reported favorably to the bill for the relief of John Moseley, tax collector of Dallas county;

Which was read a third time, and passed.

House resumed the consideration of the bill in relation to the distribution of cotton yarns among the indigent families of soldiers.

On motion of Mr. Parker, the amendment of Mr. Cooper was laid on the table.

Mr. Parker moved to amend, by substituting the words "cotton or woollen cards;"

Which was lost.

Mr. Lawler moved the indefinite postponement of the bill;

Pending which—

The hour of 12 o'clock arrived, and the Senate, by invitation, appeared in the hall of the House, when the two Houses proceeded to ballot for Confederate States Senator on the

EIGHTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Vin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Tor' and Wood, of the Senate; Messrs. Atkinson, Bethea, L

Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—31.

Those who voted for *Mr. Clay* are, *Messrs.* Brodnax, Clarke, Coleman, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; *Messrs.* Speaker, T. P. Ashe, Benners, Bryan, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—32.

Those who voted for *Mr. Seibels* are, *Messrs.* Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; *Messrs.* Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—44.

Those who voted for *Mr. R. H. Smith* are, *Messrs.* Moren and Powell, of the Senate, and Lawler, Lewis, and Mitchell, of the House—5.

Those who voted for *Mr. John Cochran* are, *Messrs.* Brooke and John G. Moore, of the House—2.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

NINTH BALLOT :

Those who voted for *Mr. Curry* are, *Messrs.* President, Favin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood, of the Senate; *Messrs.* Atkinson, Bethea, Bryan, Brown, Charlton, Cox, Evans, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—33.

Those who voted for *Mr. Clay* are, *Messrs.* Brodnax, Clarke, Coleman, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; *Messrs.* Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—31.

Those who voted for *Mr. Seibels* are, *Messrs.* Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; *Messrs.* Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cooper, J. W. Davis, Donnell, Greathouse,

Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—42.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Moren and Powell*, of the Senate, and *Lawler, Lewis, and Mitchell*, of the House—5.

Mr. Cobb, of the House, voted for *Mr. W. R. Smith*—1.

Those who voted for *Mr. John Cochran* are, *Messrs. Brooks and John G. Moore*, of the House—2.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

TENTH BALLOT:

Those who voted for *Mr. Curry* are, *Messrs. President, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood*, of the Senate; *Messrs. Atkinson, Bell, Bethea, Bryan, Brown, Charlton, Chisholm, Cox, Evans, Foster, Gafford, Gardner, Graves, Hanes, Jones, John Keenan, John Moore, McAlexander, McInnis, McClelland, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff*, of the House—36.

Those who voted for *Mr. Clay* are, *Messrs. Brodnax, Clarke, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice*, of the Senate; *Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapuan, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson*, of the House—29.

Those who voted for *Mr. Seibels* are, *Messrs. Beeson, Critcher, Garrett, Hammond, Ligon and Powell*, of the Senate; *Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bradley, Brandan, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West*, of the House—41.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Moren*, of the Senate, *Fannin, Lawler, Lewis, and Mitchell*, of the House—5.

Mr. Coleman, of the Senate, voted for *Mr. J. G. Shorter*—1.

Those who voted for *Mr. John Cochran* are, *Messrs. Brooks and J. G. Moore*, of the House—2.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

ELEVENTH BALLOT:

Those who voted for *Mr. Curry* are, *Messrs. President, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin,*

and Wood, of the Senate; Messrs. Atkinson, Benners, Bethea, Bryan, Brown, Charlton, Chisholm, Coleman, Cox, Evans, Foster, Gardner, Graves, Hanes, Jones, John Keenan, John Moore, McAlexander, McInnis, McClelland, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—36.

Those who voted for Mr. Clay are, Messrs. Brodnax, Clarke, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; Messrs. Speaker, T. P. Ashe, Bryers, Chambers, Chapman, M. L. Davis, Dawson, Ellis, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—26.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Clarke, Cooper, J. W. Davis, Donnell, Greathouse, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Morrow, McCain, Oghourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—41.

Those who voted for Mr. R. H. Smith are, Messrs. Moren, of the Senate, Famin, Lawler and Mitchell, of the House—4.

Mr. Coleman, of the Senate, voted for Mr. J. G. Shorter—1.

Mr. Cobb, of the House, voted for Mr. J. A. Winston—1.

Those who voted for Mr. John Cochran are, Messrs. Brooks and J. G. Moore, of the House—2.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

TWELFTH BALLOT:

Mr. Clay's name was withdrawn.

Mr. Toulmin nominated Benjamin Fitzpatrick.

Mr. Reavis nominated Mr. Pettus, of Dallas county.

Mr. Chambers nominated Mr. J. Cochran, of Barbour.

Those who voted for Mr. Curry are, Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, S. F. Rice, F. Rice, and Wood, of the Senate; Messrs. T. P. Ashe, Atkinson, Benners, Bryan, Bryers, Brown, Charlton, Coleman, Ellis, Foster, Gardner, Graves, Hanes, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Parish, Price, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—40.

Those who voted for Mr. Fitzpatrick are, Messrs. Clarke, Jackson, Powell, and Toulmin, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Bethea, Bradley, Chapman, Chisholm, Cox, Evans, Howard, Howell, Magee, McClelland, Nisbet, Sykes, and Vincent, of the House—20.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; Messrs. Ashurst, Barron, Brandan, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Greathouse, Head, Holley, Leeper, Lewis, Ligon, Malone, Manasco, Morrow, McCain, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Vanzandt, and West, of the House—32.

Those who voted for Mr. Pettus are, Messrs. Payne, Porter, and Reavis, of the Senate; Bell, M. L. Davis, Dawson, and Hollis, of the House—7.

Those who voted for Mr. Cochran are, Messrs. Davis and McCall, of the Senate; Brooks, Chambers, Fannin, Franklin, Jones, John G. Moore, and C. A. Parker, of the House—9.

Those who voted for Mr. R. H. Smith are, Messrs. Moren, of the Senate; Lawler and Mitchell, of the House—3.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

THIRTEENTH BALLOT :

The name of Mr. Seibels was withdrawn.

Those who voted for Mr. Curry are, Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, S. F. Rice, F. Rice, and Wood, of the Senate; Messrs. T. P. Ashe, Atkinson, Benners, Bryan, Bryers, Brown, Charlton, Coleman, Ellis, Foster, Gardner, Graves, Hames, Head, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Parish, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—40.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Powell, and Toulmin, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Chisholm, Clarke, Cobb, Cooper, Cox, J. W. Davis, Donnell, Evans, Greathouse, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—48.

Those who voted for Mr. Cochran are, Messrs. Davis and McCall, of the Senate; Brooks, Chambers, Franklin, Jones, J. G. Moore, and C. A. Parker, of the House—8.

Those who voted for Mr. Pettus are, Messrs. Ligon, Payne, Porter, and Reavis, of the Senate; Bell, M. L. Davis, Dawson, Fannin, and Hollis, of the House—9.

Those who voted for Mr. R. H. Smith are, Messrs. Moren, of the Senate; Lawler, Lewis, Mitchell, Morrow, and Ogbourne, of the House—6.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

FOURTEENTH BALLOT :

Those who voted for *Mr. Curry* are, *Messrs.* President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, S. F. Rice, F. Rice, and Wood, of the Senate; *Messrs.* T. P. Ashe, Atkinson, Bryan, Bryers, Brown, Charlton, M. L. Davis, Ellis, Foster, Gardner, Graves, Hames, Hollis, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Ogbourne, Parish, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—41.

Those who voted for *Mr. Fitzpatrick* are, *Messrs.* Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Powell, and Toulmin, of the Senate; *Messrs.* Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Chisholm, Clarke, Cobb, Coleman, Cooper, Cox, J. W. Davis, Donnell, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—51.

Those who voted for *Mr. Pettus* are, *Messrs.* Ligon, Moren, Payne, and Reavis, of the Senate; Bell, Dawson, and Fannin, of the House—7.

Those who voted for *Mr. Cochran* are, *Messrs.* Davis and McCall, of the Senate; Brooks, Chambers, Franklin, and C. A. Parker, of the House—6.

Those who voted for *Mr. R. H. Smith* are, *Messrs.* Lawler, Mitchell, and Morrow, of the House—3.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

FIFTEENTH BALLOT :

The names of *Mr. Cochran* and *Mr. Pettus* were withdrawn. Senator Davis nominated *Mr. Brooks*, of Perry county.

Those who voted for *Mr. Curry* are, *Messrs.* President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, McCall, Payne, Porter, Reavis, S. F. Rice, F. Rice, and Wood, of the Senate; *Messrs.* T. P. Ashe, Atkinson, Bell, Benners, Brooks, Bryan, Brown, Chambers, Charlton, Coleman, M. L. Davis, Dawson, Ellis, Foster, Gardner, Graves, Hames, Hollis, Jones, John Keenan, Lewis, May, John Moore, McAlexander, McInnis, Ogbourne, Parish, C. A. Parker, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—50,

Those who voted for *Mr. Fitzpatrick* are, *Messrs. Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Moren, Powell, and Toulmin*, of the Senate; *Messrs. Speaker, Armstrong, G. W. Ashe, Ashurt, Barron, Bethea, Bradley, Brandan, Chapman, Chisholm, Clarke, Cobb, Cooper, Cox, J. W. Davis, Donnell, Evans, Franklin, Greathouse, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West*, of the House—52.

Those who voted for *Mr. Brooks* are, *Messrs. Davis*, of the Senate; *Bryers, Kilpatrick, and Modawell*, of the House—4.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Lawler and Mitchell*, of the House—2.

Mr. J. G. Moore, of the House, voted for *Mr. Cochran*—1.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

SIXTEENTH BALLOT :

Those who voted for *Mr. Curry* are, *Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, McCall, Porter, S. F. Rice, F. Rice, and Wood*, of the Senate; *Messrs. T. P. Ashe, Atkinson, Bell, Benners, Brooks, Bryan, Bryers, Brown, Chambers, Charlton, Coleman, M. L. Davis, Dawson, Ellis, Foster, Franklin, Gardner, Graves, Hames, Hollis, Jones, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Ogbourne, Parish, C. A. Parker, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff*, of the House—51.

Those who voted for *Mr. Fitzpatrick* are, *Messrs. Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Moren, Powell, and Toulmin*, of the Senate; *Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Chisholm, Cobb, Cooper, Cox, J. W. Davis, Donnell, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, John G. Moore, Morrow, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West*, of the House—52.

Those who voted for *Mr. Brooks* are, *Messrs. Davis, Payne, and Reavis*, of the Senate—3.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Lawler and Mitchell*, of the House—2.

When, on motion of *Mr. Williams*, the convention adjourned until 12, m., on *Monday*.

The Senate withdrew to its chamber, and House adjourned till 10 o'clock, *Monday morning*.

MONDAY, NOVEMBER 23, 1863.

House met pursuant to adjournment.

CALL OF THE COUNTIES.

The following bills were introduced, read three times forthwith, and passed:

By *Mr. Benners*, when real estates of soldiers are sold for taxes to extend the time for redemption of the same;

By *Mr. McClelland*, for the relief of *L. R. Davis*, of *Limestone* county;

By *Mr. Modawell*, to increase the pay of county officers of *Clarke* county;

By *Mr. Magee*, to amend an act to contribute to the support of families of soldiers, &c., approved Aug. 29, 1863;

Also, for the relief of the poor of *Mobile* county;

By *Mr. Ogbourne*, to repeal an act imposing restrictions on the city council of *Montgomery*, and for other purposes, approved 13th January, 1846.

The following bills were introduced, read twice, and referred to the judiciary committee :

By *Mr. Benners*, to extend the provisions of section nine of the stay law to all soldiers in the actual military service;

By *Mr. Dawson*, to amend section 672 of the code;

By *Mr. Bethea*, to increase the fees of jailors.

Mr. Chambers introduced a bill for the relief of *Geo. W. Coleman* and *Buckner Williams*:

Which was read twice, and referred to the committee on propositions and grievances.

Also, to authorize the issue and sale of State bonds;

Which was read twice, and referred to the committee on ways and means.

Mr. Dawson introduced a bill for the relief of the families of deceased soldiers;

Which was read twice, and referred to the military committee.

Mr. Modawell introduced a bill for the relief of *T. B. Bethea*;
Which was read twice.

On motion of *Mr. Cooper*, the words "Confederate States" were stricken out, and the word "State" inserted.

The bill, as amended, was referred to the committee on propositions and grievances.

Mr. McInnis introduced a bill to amend an act to render more efficient the system of public schools in the State of Alabama, as to *Sumter* county;

Which was read twice, and referred to the committee on education.

Mr. Lewis presented a petition of the citizens of **Tascaloussa** county;

Which was referred to the military committee.

House resumed the consideration of the bill to aid in supplying the indigent families of soldiers with cotton cards.

Mr. Modawell moved to amend the amendment of **Mr. Parker**, by way of substitute, as follows: Provided, that if the Governor shall, in due time, procure an ample supply of cotton and wool cards for the indigent families of this State, then he shall be authorized to withhold the funds appropriated under this act for the purchase of cotton yarns.

Mr. Parsons moved to lay the bill and amendment on the table.

Mr. Franklin moved to print 133 copies.

A division of the question was called for.

The question first was on laying the bill on the table;

Which was carried.

The question was then on printing 133 copies;

Which was lost.

Mr. Bethea, from the select committee, reported a substitute for the bill to compensate the owners of property lost in the public service.

On motion of **Mr. Graves**, the bill was laid on the table, and 133 copies were ordered to be printed.

Mr. Cooper introduced a bill for the relief of the poor of Cherokee county;

Which was read twice, and referred to the delegation from that county.

Mr. Chambers, from the committee on education, to whom was referred a resolution to inquire into the expediency of abolishing the offices of superintendent of free public schools in this State, and county superintendents, reported adversely thereto.

Which, on motion of **Mr. Graves**, was postponed till Thursday next, and made the special order for 11 o'clock.

Mr. Jones, from the committee on State Bank and branches, to which was referred the message of the Governor in relation to the debts due the State Bank and branches, reported that said committee had examined the reports of said bank and branches, and asked leave to be discharged.

Which was granted.

Mr. Greathouse, from the committee on public lands, reported adversely to the bill for the relief of the receiver of the land office at St. Stephens;

Which report was concurred in.

Mr. Evans, from the committee on insane asylum, reported favorably on the bill to exempt the medical superintendent of the insane hospital, &c.:

Which was read a third time, and passed.

Mr. Vincent, from the committee on propositions and grievances, reported favorably, with an amendment, to the bill to require railroad companies to keep lights on their trains;

Which amendment was adopted, and the bill read a third time and passed.

Mr. Davis, from the committee on privileges and elections, reported favorably to the bill for the relief of Sedwin Dolive and Alexander Dolive, of Baldwin county.

The bill was read a third time and passed.

Mr. McCain, from the committee on the penitentiary, reported favorably, with an amendment, to the bill to repeal section 3948 of the code;

Which was adopted, and the bill read a third time and passed.

Mr. Davis, from the committee on privileges and elections, reported favorably to the bill for the relief of N. Y. Alston.

Mr. Cobb, from the committee on roads, bridges and ferries, reported favorably to the bill to provide for the appointment of overseers of roads in certain cases, &c.

Which two last bills were ordered to be engrossed.

Mr. McCain, from the committee on the penitentiary, reported that the reports of the warden and inspectors were correct.

Mr. Williams, from the committee on county boundaries, reported favorably to the bill for the relief of Lewis Anderson;

Which was ordered to be engrossed.

Mr. Lawler offered the following resolution, which was adopted :

Resolved, That the committee on military affairs be instructed to inquire into the expediency of reporting a bill making such appropriation as may be necessary for the defense of the State, until the next annual session of the General Assembly, to be provided for by the sale of State Bonds bearing interest at the rate of six per cent. per annum, and payable — years after date.

Mr. Sykes offered the following resolution :

Resolved, That the committee on ways and means be instructed to inquire into the expediency of changing the revenue laws, from an *ad valorem* to an income tax, and report by bill or otherwise.

On motion of **Mr. Greathouse**, the bill to exempt Thos. O. Partridge, a blacksmith, from military service, &c., was taken from the table and referred to the Tallapoosa delegation.

Message from the Governor by Mr. Taylor.*Mr. Speaker :*

The Governor has approved the following bills which originated in the House of Representatives :

An act to amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863;

An act to regulate the courts of the middle chancery division during the present war;

An act for the relief of indigent families of soldiers in Baldwin county;

An act for the relief of the estate of Wm. P. Smith, of Butler county;

An act for the relief of E. Shivers, of Dale county;

An act for the relief of Theophilus C. Greenhill, tax collector of Franklin county;

An act to increase the capital stock of the Woodville insurance company;

An act to increase the capital stock of the Selma insurance and trust company, and the planters' and merchants' insurance company;

An act to amend the charter of the city of Huntsville;

An act to repeal an act to authorize justices of the peace to appoint overseers of roads, and for other purposes, in the county of Coosa;

An act to give jurisdiction of the estate of William Garner to the judge of probate of Bibb county;

An act to authorize the action of ejectment.

Message from the Senate by Mr. Toal.

Senate, November 21, 1863.

Mr. Speaker :

The Senate has passed House bills :

To authorize Franklin C. Pinkston to erect a gate across the Ray road in Montgomery county;

To amend an act to incorporate the Eufaula marine and fire insurance company, approved February 9, 1861;

To amend the charter of the city of Selma;

To authorize John S. Moragne and Rufus B. Rhea to build a bridge across Big Wills creek;

To authorize the destruction of mutilated treasury note change bills of the State of Alabama;

To provide for repairs on the State capitol;

To amend section 1143 of the code;

Making an appropriation for pay of members and officers of the General Assembly.

The Senate has amended, as therein shown, and passed the House bill to amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863.

The Senate refuses to concur in the amendment of the House to the Senate bill to repeal the act entitled "an act to induce rail road companies in this State to carry troops and munitions of war, for the State, free of charge," approved February 7, 1861.

The Senate has originated and passed an act to suppress more effectually the distillation of grain.

The Senate refuses to concur in the amendment of the House to the Senate bill to repeal an act to induce railroad companies in this State to carry troops and munitions of war, for this State, free of charge.

The House insisted on its amendment.

At the hour of 12, m., the two Houses, in the hall of the House, in joint convention, proceeded to the

SEVENTEENTH BALLOT FOR CONFEDERATE STATES SENATOR :

Mr. Harrison nominated T. H. Watts, of Montgomery.

Mr. Williams nominated C. C. Clay, jr.

Mr. Chisholm nominated R. W. Walker, of Lauderdale.

Mr. Foster nominated R. H. Smith, of Mobile.

Those who voted for Mr. Curry are, Messrs. President, Brodnax, Ervin, Groce, Hardwick, Hill, Porter, and Wood, of the Senate; Messrs. Atkinson, Brooks, Carlisle, Foster, Gardner, Graves, Hames, John Keenan, May, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—26.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Garrett, Moren, Powell, and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper, J. W. Davis, M. L. Davis, Donnell, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White, of the House—44.

Those who voted for Mr. Clay are, Messrs. Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; Messrs. T. P. Ashe, Benners, Bryers, Chambers, Coleman, Dawson, Ellis, Franklin, Hollis, Modawell, Nisbet, C. A. Parker, Price, and Williams, of the House—19.

Those who voted for Mr. Watts are, Messrs. Critcher, Harrison, and S. F. Rice, of the Senate; Messrs. Speaker, Cox, Gafford, Jones, Lewis, Mitchell, and Ogbourne, of the House—10.

Those who voted for Mr. Walker are, Messrs. Hammond, of the Senate, Charlton, Chisholm, and McClelland, of the House—4.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

EIGHTEENTH BALLOT:

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Porter, and Wood, of the Senate; Messrs. Atkinson, Brooks, Carlisle, Gardner, Graves, Hames, John Keenan, May, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—24.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Garrett, Hammond, Moren and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Barron, Bethea, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper, J. W. Davis, M. L. Davis, Donnell, Ellis, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White, of the House—45.

Those who voted for Mr. Watts are, Messrs. Critcher, Harrison, Hill, and S. F. Rice, of the Senate; Messrs. Speaker, Ashurst, Cox, Gafford, Jones, Mitchell, and Ogbourne, of the House—11.

Those who voted for Mr. Clay are, Messrs. Brodnax, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; Messrs. T. P. Ashe, Benners, Bryers, Chambers, Coleman, Dawson, Franklin, Hollis, Modawell, Nisbet, C. A. Parker, Price, Roberson, and Williams, of the House—20.

Those who voted for Mr. Smith are, Messrs. Powell, of the Senate, Foster, Lawler, and Lewis, of the House—4.

Those who voted for Mr. Walker are, Messrs. Charlton and Chisholm, of the House—2.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

NINETEENTH BALLOT:

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Hill, Porter, and Wood, of the Senate; Messrs. Atkinson, Brooks, Carlisle, Gardner, Hames, John Keenan, May, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—24.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Garrett, Hammond, Moren, and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper, J. W. Davis, M. L. Davis, Donnell, Ellis, Evans, Greathouse, Head, Hol-

ley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White, of the House—46.

Those who voted for Mr. Clay are, Messrs. Brodnax, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; Messrs. Benners, Bryers, Chambers, Coleman, Dawson, Franklin, Hollis, Modawell, Nisbet, C. A. Parker, and Price, of the House—17.

Those who voted for Mr. Watts are, Messrs. Critcher, Harrison, and S. F. Rice, of the Senate; Messrs. Speaker, Cox, Gafford, Jones, Lewis, Mitchell, and Ogbourne, of the House—10.

Those who voted for Mr. Walker are, Messrs. T. P. Ashe, Charlton, Chisholm, Graves, and Robeson, of the House—5.

Those who voted for Mr. Smith are, Messrs. Powell, of the Senate, Foster, and Lawler, of the House—3.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

On motion of Mr. Chambers, the convention then adjourned till 12, m., to-morrow.

The Senate withdrew to its chamber, and

The House proceeded to consider the bill to provide for the maintenance of civil authority and the preservation of law and order within the limits of this State.

Mr. Chambers moved to amend as follows :

Amend the second section by adding the following, after the words "trying the same," Provided, that any person who may be charged with the violation of this section may go before any justice of the peace, probate judge, or judge of the circuit court, and demand an immediate investigation of the circumstances under which the arrest was made, and if, upon such investigation, it shall appear that the party so arrested was in the military service of the Confederate States, or of this State, or was liable to conscription in this State, and that the party making such arrest was, at the time, acting under military orders, it shall be the duty of the justice of the peace or the judge making such investigation, forthwith to discharge the party accused ; and he shall not be liable to indictment under this section.

Amend further, by striking out all after the words "discretion of the jury trying the same," where they occur in the second section.

Mr. Lawler moved to lay the bill and amendments on the table, and print 133 copies:

Which was carried.

House adjourned till 10 o'clock to-morrow morning.

TUESDAY, NOVEMBER 24, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor.

The following House bills, amended by the Senate, were concurred in by the House:

For the relief of the heirs of Hardy Abney;

For the relief of Duncan Findlay of Pike county;

To authorize the judge of probate of Lowndes to record a certain paper;

To regulate the number of grand and petit jurors in Walker county;

For the relief of certain government contractors;

Joint resolution donating a section of land and a medal to Miss Emma Sanson, of Cherokee county, &c.

House refused to concur in the Senate amendment to the bill to fix the time of the meeting of the General Assembly.

The following engrossed bills were severally read a third time, and passed:

To preserve the property of non-residents;

To provide for the appointment of overseers of roads in certain cases, &c.;

For the relief of N. Y. Alston;

To exempt the medical superintendent of the insane hospital, and his necessary assistants, from the performance of military service;

For the relief of Lewis Anderson;

For the protection of artesian salt wells of this State.

House passed the following Senate bills:

To authorize the probate judges to appoint clerks;

To allow probate judges to appoint special administrators in certain cases;

For the relief of Wm. Hulsey, tax collector of Walker;

To amend the law in relation to the printing and publication of the reports of the decisions of the supreme court.

Engrossed bill to authorize and empower the Governor to rescind contracts in certain cases;

Was read a third time, and lost.

Senate bill to suppress more effectually the distillation of grain;

Was read twice, and referred to the judiciary committee.

REPORTS FROM COMMITTEES.

Mr. Chapman, from the judiciary committee, reported favorably to the bill to authorize the judge of the sixth judicial circuit to fix the places of holding the circuit court in Baldwin county;

Mr. Parsons, from the same committee, reported favorably to the bill to regulate the time of holding the chancery court in the northern chancery division;

Which bills were severally read a third time, and passed.

Also, reported adversely to the bill to amend an act to authorize the comptroller to draw his warrant on the treasurer in favor of tax collectors, in certain cases, and for other purposes, approved December 3, 1861;

Also, adversely to the bill to amend section 13, article 6, of the constitution of the State of Alabama:

Also, adversely to the bill to prevent the introduction into this State of free negroes and slaves guilty of criminal offences;

Mr. Benners, from the same committee, reported adversely to the bill to protect the citizens of the State of Alabama from unlawful arrest;

Mr. McAlexander, from the same committee, reported adversely to the bill to authorize Caroline O. Hall, administratrix, to sell real estate:

Mr. Chapman, from the same committee, reported adversely to the bill to repeal a portion of section 1585 of the code, &c.:

All of which reports were severally concurred in.

Mr. Benners, from the same committee, reported a substitute for the bill to provide compensation to probate judges in certain cases;

Which was read a third time, and passed.

Mr. Cooper, from select committee, reported favorably to the bill for the relief of the poor of Cherokee county:

Which was read a third time and passed.

Mr. Lawler, from the committee on ways and means, reported adversely to the bill to repeal an act to prohibit the distillation of grain;

Which report was concurred in.

Mr. Ryan, from the committee on public lands, reported adversely to the bill granting to soldiers' wives and children a preemption right to 80 acres of land:

Which report was concurred in.

Mr. Modawell, from the committee on local legislation, reported adversely to the bill for the relief of Nancy Barus:

Which was concurred in.

Mr. Leeper, from the same committee, reported a bill to amend an act therein named:

Which was read twice.

Mr. Parsons moved to amend, by striking out the second section of the bill;

Which was carried, and the bill was read a third time and passed.

Mr. Reid offered a resolution inquiring into the expediency of donating the carpeting of the halls of the two houses for the use of the soldiers;

Which was adopted, and referred to the committee on ways and means.

Message from the Governor by Mr. Taylor.

Mr. Speaker:

The Governor has approved the bill, originating in the House of Representatives, for the relief of the heirs of Catharine Baker.

Message from the Senate.

Senate, November 24, 1863.

Mr. Speaker:

The Senate has passed House bills:

For the relief of the heirs and representatives of John Flood McGrew;

For the relief of Virginia Matthews, of Dallas county;

To incorporate the Brundidge male and female academy of Pike county;

For the relief of the heirs of Hardy Abney, deceased.

And amended House bills, as therein shown:

To authorize the judge of probate of Lowndes county to record a certain paper;

To regulate the number and pay of grand and petit jurors in the county of Walker;

For the relief of certain government contractors;

For the relief of Duncan Findlay of the county of Pike.

And, as amended, has passed the same.

The Senate has amended, as therein shown, and passed House joint resolutions donating a section of land and medal to Miss Emma Sanson, of Cherokee county, in consideration of public duties rendered by her.

M. TAUL, *Secretary.*

Senate, November 24, 1863.

Mr. Speaker:

The Senate has originated and passed a bill in relation to the Alabama State tract books.

The Senate has adopted the following resolution:

Resolved, That a committee of three be appointed, to act with a like committee on the part of the House, to make the necessary arrangements for the inauguration of Hon. Thos. H. Watts, Governor elect, on the 1st day of December next.

Messrs. Ervin, Payne, and Garrett, are the Senate committee.

The Senate has amended, as therein shown, and passed the House bill to fix the time of the meeting of the General Assembly of the State of Alabama.

And passed the following bills :

To amend the charter of the Eufaula home insurance company;

Authorizing the commissioners' court of Dale county to pay a certain claim;

To attach the road leading from the Eastern boundary of Adams street, in the city of Montgomery, to the Line Creek road;

To remove the settlement of the guardianship of Julius C. Alford, deceased, late guardian of Julius S. Alford, from the probate court of Pike county to the probate court of Montgomery county;

To repeal a certain local act for Cherokee county therein named;

To amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863:

To authorize the commissioners' court of Clarke county to make salt, &c.

M. TAUL, *Secretary.*

House concurred in the Senate resolution to appoint a committee of three from each House to make the necessary arrangements for the inauguration of the Hon. T. H. Watts.

Messrs. Chapman, Ogbourne, and Dawson, compose that committee on the part of the House.

Senate bill in relation to the Alabama State tract books;

Was read twice, and referred to the committee on public lands.

Mr. Bethea introduced a bill to pay servant hire for the General Assembly;

Which was read three times, forthwith, and passed.

Mr. Chambers offered a resolution in relation to a new seal of the State;

Which was adopted, and Messrs. Chambers, Benners, and Clarke, were appointed a committee on the subject.

Mr. Magee introduced a bill for the relief of sick and wounded soldiers;

Which was read twice, and referred to the committee on ways and means.

Mr. Orr introduced a bill to increase the fees of the county officers of Franklin county, and other counties therein named;

Which was read twice, and referred to the judiciary committee.

Mr. Fannin introduced a bill for the relief of *Algernon A. Henderson*, a minor;

Which was read twice, and referred to the committee on propositions and grievances.

Mr. Holley introduced joint resolutions to amend the constitution so as to allow soldiers to vote;

Which were read twice, and referred to the judiciary committee.

Joint resolutions to suspend licenses to retail spirituous liquors:

Were read the second time, and referred to the committee on ways and means.

Mr. Taylor, from the committee on corporations, reported adversely to the bill to incorporate the *Mobile and Selma coal mining company*;

Which was concurred in.

Mr. Hollis introduced joint resolutions to exempt from the pay of taxes in kind families of soldiers whose subsistence is alone derived from white labor;

Which were read and adopted.

At 12, m., the two Houses in the hall of the House, in joint convention, proceeded to the

TWENTIETH BALLOT FOR CONFEDERATE STATES SENATOR :

Messrs. Curry, Clay, and Watts, were withdrawn.

Those who voted for *Mr. Walker* are, *Messrs. President, Barnes, Brodnax, Clarke, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, Lewis, McCall, Payne, Peacock, Reavis, S. F. Rice, F. Rice, and Wood*, of the Senate; *Messrs. T. P. Ashe, Atkinson, Bethea, Bryan, Bryers, Carlisle, Chambers, Charlton, Chisholm, Coleman, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Gafford, Gardner, Graves, Hames, Hollis, Jones, John Keenan, Lawler, May, Modawell, John Moore, McAlexander, McInnis, McClelland, Nisbet, Parish, C. A. Parker, Price, Reid, Robeson, Ryan, Scruggs, Taylor, Towles, Williams and Wolff*, of the House--61.

Those who voted for *Mr. Fitzpatrick* are, *Messrs. Beeson, Critcher, Garrett, Hammond, Powell, and Toulmin*, of the Senate; *Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Benners, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper, Cox, J. W. Davis, Donnell, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White*, of the House--47.

Those who voted for Mr. Smith are, Messrs. Moren, of the Senate, Bell, Foster, Lewis, and Mitchell, of the House—5.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

Mr. R. W. Walker having received a majority of the whole number of votes cast, was declared by Mr. Speaker to have been duly and constitutionally elected Confederate States Senator for the seat occasioned by the expiration of the term of the Hon. C. C. Clay, jr.

The convention then proceeded to the election of State Printer.

Mr. Toulmin, of the Senate, nominated Messrs. Saffold & Figures.

Mr. Rice nominated Messrs. Reid & Shorter.

Those who voted for Messrs. Saffold & Figures are, Messrs. Beeson, Brodnax, Critcher, Garrett, Hammond, Ligon, Powell, and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurt, Barron, Bell, Bradley, Brandan, Chapman, Charlton, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Evans, Fannin, Foster, Greathouse, Head, Holley, Howard, Howell, John Keenan, Lawler, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Mitchell, J. G. Moore, Morrow, McCain, McClelland, Nisbet, Ogbourne, Orr, E. S. C. Parker, Parsons, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vanzandt, Vincent, West, and White, of the House—58.

Those who voted for Messrs. Reid & Shorter are, Messrs. President, Barnes, Clarke, Coleman, Ervin, Grocc, Hardwick, Harrison, Hill, Jackson, Moren, McCall, Payne, Peacock, Reavis, S. F. Rice, F. Rice, and Wood, of the Senate; Messrs. Speaker, T. P. Ashe, Atkinson, Benners, Bryan, Bryers, Carlisle, Chambers, Chisholm, Coleman, Cox, M. L. Davis, Dawson, Ellis, Franklin, Gafford, Gardner, Graves, Greene, Hames, Hollis, Jones, May, Modawell, John Moore, McAlexander, Parish, C. A. Parker, Price, Reid, Robeson, Ryan, Towles, Williams, and Wolff, of the House—53.

Messrs. Saffold & Figures having received a majority of the whole number of votes cast, were declared by Mr. Speaker to have been duly and constitutionally elected for the term prescribed by law.

Leave of absence was granted to Messrs. Kilpatrick, Bryan, and T. P. Ashe.

House adjourned until 10 o'clock to-morrow morning.

NOVEMBER 25, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor.

CALL OF THE COUNTIES.

Bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Bell, to incorporate the orphan asylum for the State of Alabama.

By Mr. Charlton, to increase the fees of officers.

By Mr. Morrow, to repeal a local act therein named, in Jefferson county.

Mr. Graves introduced a bill for the relief of John Geldcho;

Which last two bills were severally read twice, and referred to the committee on local legislation.

Mr. Ogbourne introduced a bill to amend an act to incorporate the city of Montgomery, approved December 23, 1837, and amended January 24, 1839:

Which was read twice, and referred to the Montgomery delegation.

Mr. Robeson introduced a bill for the relief of persons rendered destitute by the seizure and waste of their means of subsistence by the public enemy;

Which was read twice, and referred to the delegations from the counties of Madison, Jackson, Marshall, Limestone, Lauderdale, Lawrence, Franklin, DeKalb, Cherokee, Walker, and Winston.

Mr. Lewis introduced a bill to divide Tuscaloosa county into four commissioners' districts:

Which was read three times, forthwith, and passed.

Mr. J. Moore introduced a bill to increase the duties of overseers of roads, and to prevent parties from joining fences to public bridges;

Which was read twice, and referred to the committee on roads, bridges and ferries.

Mr. Benners, from the military committee, reported adversely to the bill to amend an act declaring who shall be exempt from military duty in this State;

Which was concurred in.

Mr. Chambers, from the same committee, reported a bill to exempt certain persons therein named from military duty in the provisional army of the Confederate States;

Which was read twice.

Mr. Leeper moved to amend as follows, which was laid on the table: add, "present agent for the distribution of the fund appropriated for the relief of indigent families."

Mr. Fannin moved the indefinite postponement of the bill;

Which was lost—yeas 35, nays 44.

Those who voted in the affirmative are, Messrs. Ashurst, Atkinson, Bell, Bryan, Carlisle, Chapman, Cooper, J. W. Davis, Evans, Fannin, Foster, Franklin, Gafford, Gardner, Gibson, Greathouse, Head, Holley, Howell, Jones, Lawler, Manasco, Mitchell, Modawell, John G. Moore, McCain, Ogbourne, Parish, Price, Reid, Scruggs, Towles, Vanzandt, Vincent, and Williams—35.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Barron, Benners, Bethea, Bradley, Brandan, Chambers, Charlton, Chisholm, Clarke, Cobb, Cumming, M. L. Davis, Dawson, Donnell, Ellis, Graves, Greene, Hames, Hollis, Howard, John Keenan, Leeper, Ligon, Magee, Malone, May, John Moore, Morrow, McAlexander, McInnis, Orr, C. A. Parker, E. S. C. Parker, Parsons, Robeson, Ryan, Seay, Sims, Sykes, Taylor, West, White, and Wolff—44.

Mr. Lawler moved to strike out "impressing agents:"

Which was carried.

Mr. Dawson moved to strike out "county and State tax assessor;"

Mr. Sykes moved to lay said amendment on the table:

Which was carried—yeas 49, nays 32.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Benners, Bethea, Bradley, Brandan, Bryan, Carlisle, Chambers, Charlton, Chisholm, Clarke, Cobb, Coleman, Cumming, J. W. Davis, M. L. Davis, Donnell, Gafford, Gardner, Gibson, Graves, Greene, Hames, Hollis, Howard, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Mitchell, Modawell, J. Moore, John G. Moore, Morrow, McInnis, McClelland, Orr, C. A. Parker, E. S. C. Parker, Parsons, Sims, Sibley, Sykes, Vanzandt, West, and Wolff—19.

Those who voted in the negative are, Messrs. Ashurst, Atkinson, Barron, Bell, Chapman, Cooper, Dawson, Ellis, Evans, Fannin, Foster, Franklin, Head, Howell, Jones, John Keenan, Lawler, May, McAlexander, McCain, Ogbourne, Parish, Price, Reid, Robeson, Ryan, Scruggs, Taylor, Towles, Vincent, White, and Williams—32.

Mr. Lawler moved to strike out "county superintendent of education;"

Which was carried.

Mr. Chapman moved to strike out "librarian;"

Which was carried.

Mr. Cumming moved to strike out "overseers of the poor;"

Which was carried.

Mr. Ogbourne moved to strike out "county treasurer;"

Which was lost.

Mr. Head moved to strike out "surveyors;"

Which was carried.

The bill, as amended, was read a third time, and passed.

The hour of 12 o'clock having arrived, there being a special order for that hour, to-wit: joint resolutions in regard to the currency, which, on motion of Mr. Parsons, was postponed until Tuesday next, at 12, m.

Mr. Dawson, from the military committee, reported favorably to the bill for the relief of families of soldiers who have died in the military service of the Confederate States;

Various amendments were offered, and the bill was referred to a select committee composed of Messrs. Dawson, Cumming, Modawell, Jones, and Parsons.

Mr. Lawler moved to take up the joint resolutions upon the subject of the pay of the soldiers, amended by the Senate;

Which was carried.

The resolutions were referred to the committee on Confederate relations.

On motion of Mr. Bethea, Messrs. Price and Coleman were added to said committee.

Mr. Parsons offered a resolution calling on the Governor for information in relation to the number of persons enumerated under the militia act approved August 29, 1863;

Which was adopted.

Mr. Bethea moved to make the bill to compensate the owners of property lost in the public service, the special order for 12, m., to-morrow.

Mr. Parsons moved to take from the table the bill to provide for the maintenance of civil authority and the preservation of law and order within the limits of this State;

Which was carried.

The question being on the adoption of the amendment by Mr. Chambers, pending which

House adjourned till 10 o'clock to-morrow morning.

NOVEMBER 26, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Reid, of the House.

Mr. Speaker announced the select committee of one from each congressional district in the State to whom was referred the bill granting soldiers' wives and children pre-emption right to eighty acres of land, namely: Messrs. Head, McAlexander, Ellis, Cooper, Lawler, Coleman, Dawson, Chambers and Taylor.

Leave of absence was granted to Mr. Brandan.

Message from the Governor by Mr. Taylor.

In relation to bonds of the Confederate States received in payment for the steamer Florida.

The Governor has approved the following bills which originated in the House of Representatives:

An act making appropriation for pay of members and officers of the General Assembly;

An act to prevent the impressment or purchase of property under false pretences;

An act for the relief of Wm. A. Rose;

An act to amend an act to incorporate the Eufaula marine and fire insurance company, approved February 9, 1861;

An act to amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863;

An act to increase the pay of jurors in this State;

An act to provide for repairs of the State capitol;

An act for the relief of Boykin Goldsby and others;

An act to authorize J. S. Moragne and Rufus B. Rhea to build a bridge across Big Wills creek.

An act to incorporate the Brundidge male and female academy of Pike county;

An act to authorize the destruction of mutilated treasury note change bills of this State.

An act to amend section 1143 of the code;

An act for the relief of Virginia Matthews of Dallas county;

An act to amend an act to provide for the election of State printer, approved February 12, 1858;

An act for the relief of the heirs and representatives of John Flood McGrew;

An act to authorize F. C. Pinkston to erect a gate across the Ray road in Montgomery county;

An act to amend the charter of the city of Selma;

An act to prevent illicit trading with slaves.

Message from the Senate.

Senate, November 26, 1863.

Mr. Speaker:

The Senate has amended, as therein shown, and passed the House bills:

To incorporate the factors' and grocers' marine and fire insurance company of Mobile;

To prevent gaming in this State.

The Senate insists on its amendment to the House bill to fix the time of the meeting of the General Assembly;

And concurs in the amendment of the House to the Senate bill to authorize probate judges to appoint special administrators in certain cases.

Also, adopted the House joint resolutions:

To secure the passage of a law exempting certain persons from the payment of the tax in kind;

To exempt from the payment of the tax in kind the families of soldiers whose support is derived from white labor alone;

And has passed the House bills:

For the relief of Stephen Gipson of Lawrence county;

For the relief of the poor of Mobile;

For the relief of E. P. Holcombe of Lowndes county;

For the relief of N. Y. Alston;

For the relief of the poor of Cherokee county;

For the relief of S. and A. Dolive of Baldwin county;

For the protection of artesian salt wells of this State.

To authorize the judge of the 6th judicial circuit to fix the place of holding the circuit court in Baldwin county;

To increase the pay of the county officers of Clarke county;

The Senate concurs in the resolution of the House appointing a committee of two from each House to inquire into the expediency of appropriating the carpets of the capitol for soldiers' blankets; Messrs. Rice and Clarke compose the Senate committee.

Also, concurs in the resolution to appoint a committee of three on the part of each House on the design of a new seal of the State; Messrs. Harrison, Jackson, and Ligon, compose the Senate committee.

The Senate has originated and passed bills:

For the benefit of the widow and children of Jas. Morgan, deceased;

To authorize and require the commissioners' court of Clarke county to levy a special tax for the support of the indigent families of soldiers;

For the relief of the indigent families of soldiers in the army of the Confederate States;

For the relief of the Western railroad company;

For the relief of Samuel B. Harmon, tax collector of Macon county;

For the relief of Benj. Driver, of Chambers county.

Mr. Lawler offered to amend the amendment to the bill under consideration, as follows, which was adopted: after the words "liable to" strike out and insert "arrest for an alleged violation therfor, by the grand jury of the proper county, except under indictment."

Mr. Parsons moved to amend the amendment of Mr. Chambers as follows, which was adopted: after military orders, insert "to arsest deserters from the army or persons liable to military service."

The amendment of Mr. Chambers was then adopted.
 Mr. Bethea moved to strike out all after first section;
 Which was lost—yeas 36, nays 49.

Those who voted in the affirmative are, Messrs. Atkinson, Benners, Bethea, Brooks, Bryan, Brown, Carlisle, Chambers, Charlton, Coleman, Dawson, Ellis, Evans, Fannin, Gafford, Gardner, Gibson, Graves, Head, Magee, May, Mitchell, Modawell, John Moore, McAlexander, McInnis, Nisbet, Parish, C. A. Parker, Price, Reid, Robeson, Scruggs, Taylor, Towles, and Wolff—36.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chapman, Chisholm, Clarke, Cobb, Cooper, Cumming, J. W. Davis, M. L. Davis, Foster, Franklin, Greathouse, Greene, Hames, Holley, Hollis, Howard, Howell, John Keenan, Lawler, Leeper, Lewis, Ligon, Malone, Manasco, John G. Moore, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Ryan, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White—49.

Mr. Fannin moved to amend by striking out the second section;

Which was lost.

The bill was ordered to a third reading.

Mr. Coleman introduced a bill better to regulate the fees of the judges of probate of Greene, Marengo, and Choctaw counties;

Which was read twice, and referred to the judiciary committee.

Mr. Lawler, from the committee on ways and means, reported a bill to contribute to the support of the indigent families of soldiers in the military service from the State of Alabama;

Which was read twice.

Mr. Fannin moved to amend, by striking out that portion of the bill that prevents the families of substitutes from becoming the beneficiaries of this bill.

Which amendment and the bill were postponed, and made special order for 11, a. m., to-morrow, the 27th, on motion of Mr. Bethea.

Mr. Lawler, from the same committee, reported a substitute for the bill to authorize the issue and sale of State bonds;

Which was made a special order for 11, a. m., to-morrow.

Mr. Manasco reported favorably to the bill for the relief of John Holtzelaw;

Which was read a third time, and passed.

Mr. Parsons, from the judiciary committee, reported ad-

versely to the bill to authorize the distillation of grain for individual use in Walker county.

Mr. Clarke submitted a minority report on the same subject.

Both of which reports were postponed till Saturday next, at 11 o'clock.

Mr. Reid introduced a bill to provide for leasing certain State salt works and selling certain property in carrying on the same;

Which was read twice, and made special order for 11 o'clock on Saturday next.

House adjourned until 10 o'clock to-morrow morning.

NOVEMBER 27, 1865.

House met pursuant to adjournment.

Prayer by the Rev. C. A. Parker, of the House.

CALL OF THE COUNTIES.

The following bills were introduced, read three times forthwith, and passed:

By Mr. Chambers, to change the time of holding the courts in the 8th judicial circuit;

By Mr. Magee, to repeal an act approved 9th Nov., 1861;

For the relief of the estate of O. Mazange;

To authorize the redemption of lands of alien enemies sequestered to the Confederate States, which have been or may be sold for taxes;

By Mr. Reid, to enable the treasurer of Calhoun county to pay surplus funds in his hands to persons therein named;

By Mr. Scruggs, to provide for the indigent families of soldiers in certain counties.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Price, to repeal an act therein named and approved February 1856;

By Mr. Fannin, to define the duties of common carriers in certain cases;

By Mr. Bryan, for the relief of Jno. G. Stokes of Macon county;

By Mr. Howard, to define the responsibilities of attorneys and other officers;

By Mr. Chambers, to fix the fees of solicitors in certain cases.

The following bills were introduced, read twice, and referred to the military committee :

By Mr. McLemore, to amend an act to re-organize the militia of the State of Alabama, approved August 29, 1863;

By Mr. Vanzandt, for the relief of the citizens of Rockford and its vicinity, in Coosa county;

By Mr. Cobb, for the relief of Jno. B. Reynolds of Fayette county;

By Mr. Cumming, to make certain persons subject to military service in the army of the Confederate States.

Mr. J. G. Moore introduced a bill for the relief of B. Frainger;

Which was read twice, and referred to the committee on propositions and grievances.

Mr. McInnis introduced a bill to increase the salaries of the officers of the penitentiary:

Which was read twice, and referred to the committee on the penitentiary.

Mr. Bell introduced joint resolutions to give the collection of the tax in kind for the Confederate States to the State of Alabama;

Which were read, and referred to the committee on Confederate relations.

Leave of absence was granted to Messrs. Carlisle, Bell, McCain, May, Malone, and Howell.

Mr. Cooper offered the following Rule, which lies over one day:

Resolved, That the standing Rule of this House shall be so amended as to require the House of Representatives to meet at 9, a. m.; adjourn at 1, p. m.; meet at 3, p. m., and adjourn at 6, p. m.

Mr. Dawson, from the judiciary committee, reported favorably to the bill for the relief of James M. Calhoun of Dallas county;

Which was read a third time, and passed.

Mr. Cumming, from the select committee to whom was referred the bill to provide cotton and wool cards for the indigent families of this State, reported favorably thereon.

Mr. C. A. Parker moved to amend by striking out "\$230,000," and inserting "\$500,000;" after the word "purchase" add the words "or manufacture."

The bill was then suspended, to allow

Mr. Benners to introduce a bill to amend an act to re-organize the militia of the State of Alabama, approved August 29, 1863;

Which was read twice, and made special order for 10 o'clock to-morrow.

Mr. McLemore introduced a bill to increase the pay of certain officers in Chambers county;

Which was read twice, and referred to the committee on local legislation.

Mr. Jones offered the following resolution, which was laid on the table:

Resolved, That the committee on ways and means be instructed to report a bill for the assessment and collection of the taxes of this State on *ad valorem* principles.

The House then proceeded to consider the first special order, it being the report of the committee on education upon the subject of abolishing the offices of State and county superintendents of education, declaring it inexpedient to do so.

Mr. Nisbet moved to amend the resolution by striking out "and county;"

Which was lost.

Mr. Bethea moved the indefinite postponement of the subject:

Which was also lost.

The resolution reported by the committee was then adopted.

Mr. Leeper offered resolutions calling on the land commissioner of the State to furnish information as to how many founderies have been put into operation, or is likely to be, and how much public lands have been entered by said founderies, under a certain act;

Which resolutions were adopted.

The House proceeded to consider the next special order, it being the bill to contribute to the support of the indigent families of soldiers, &c.

The question being on the amendment of Mr. Fannin, pending which

House adjourned till 10 o'clock to-morrow morning.

NOVEMBER 28, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Reid, of the House.

The House proceeded to consider the special order, it being the bill to amend an act to re-organize the militia of the State of Alabama, approved August 29, 1863;

Which was read a third time, and passed.

REPORTS FROM COMMITTEES.

Mr. Benners, from the military committee, reported that it was inexpedient to pass the Senate bill to provide for carrying into effect joint resolutions in relation to Alabama volunteers, approved November 5, 1862.

House refused to concur in the report, and ordered the bill to a third reading.

Mr. Dawson, from the judiciary committee, reported favorably to the bill more effectually to suppress the distillation of grain;

Mr. Lewis moved to lay the bill on the table:

Which was lost—yeas 25, nays 32.

Those who voted in the affirmative are, Messrs. Speaker, G. W. Ashe, Benners, Bethea, Bishop, Bradley, Clarke, Coleman, M. L. Davis, Ellis, Gardner, Gibson, Holley, Hollis, Lewis, Magee, Manasco, Morrow, McClelland, Ogbourne, Price, Seay, Vanzandt, Vincent, and West—25.

Those who voted in the negative are, Messrs. Brooks, Chambers, Chapman, Charlton, Chisholm, Cox, Cumming, J. W. Davis, Dawson, Dent, Evans, Foster, Franklin, Gafford, Graves, Greene, Hames, Jones, John Keenan, Lawler, Leeper, Mitchell, Modawell, McAlexander, McInnis, Nisbet, Parish, C. A. Parker, Reid, Ryan, Taylor, and Towles—32.

The bill was then ordered to a third reading.

House adopted the Senate resolution proposing to bring on the election of State superintendent of education, to-day, at 12, m.

Mr. Benners, from the judiciary committee, reported favorably, with an amendment, to the bill to increase the fees of jailors;

Which amendment was adopted, and the bill ordered to a third reading.

Mr. Benners, from the same committee, reported adversely to the bill to more effectually put a stop to extortion in money and provisions of all kinds;

Also, to record of divorce of Laura E. Mills vs. John L. Mills;

Mr. Chapman, from the same committee, reported adversely to the bill for the relief of Augustus Richardson of Pike county;

Which reports were concurred in.

Mr. Taylor, from the same committee, reported a substitute for the Senate bill to repeal and modify an act to regulate judicial proceedings, approved December 10, 1861;

Which was adopted.

Mr. Parker moved to lay the substitute on the table and print 133 copies, and make the bill special order for 12, m., Monday.

Mr. Chapman, from the same committee, reported a substitute for the bill to regulate solicitors' fees;

Which was adopted, the bill read a third time, and passed.

Mr. Dawson, from the same committee, reported a substitute for the bill to increase the fees of probate judges and other public officers of this State;

Which was adopted.

Mr. Cobb moved to amend, as follows, which was lost: "Provided, the pay of the officers and members of the General Assembly shall be increased $33\frac{1}{3}$ per cent. on the amount now allowed by law, to take effect at the next session after the adjournment of this present General Assembly."

Mr. Modawell moved to amend, by striking out the words, "but this act shall not extend to the commissions now allowed to sheriffs and coroners:"

Which was carried.

Mr. McInnis moved to amend, as follows, which was adopted: "that the fees so allowed by this act shall not extend to or affect estates of \$500 or less."

Mr. M. L. Davis moved to amend, as follows, which was adopted: "Be it further enacted, that no officer shall be entitled to the benefits of this act who shall in any instance refuse Confederate treasury notes, or the treasury notes of this State, in payment of the fees of his office."

The House proceeded to consider the special order, it being the bill to contribute to the support of the indigent families of soldiers, &c., the question being upon the adoption of the amendment of **Mr. Fannin**:

Which was adopted.

Mr. Modawell moved to amend as follows: "that indigent families of substitutes be allowed equal participation in the distribution of the funds herein appropriated;"

Which was adopted—yeas 42, nays 27.

Those who voted in the affirmative are, *Messrs.* G. W. Ashe, Benners, Bethea, Bishop, Bradley, Brooks, Chambers, Clarke, Cobb, Coleman, Cooper, Cox, Cumming, Dawson, Dent, Donnell, Ellis, Evans, Foster, Gardner, Greene, Holley, John Keenan, Lewis, Ligon, Magee, Manasco, Modawell, John Moore, Morrow, McInnis, McLemore, Orr, Parish, C. A. Parker, Reid, Ryan, Scay, Sibley, Vanzandt, Vincent, and West—42.

Those who voted in the negative are, *Messrs.* Barron, Brown, Chapman, Charlton, Chisholm, J. W. Davis, M. L. Davis, Franklin, Gafford, Gibson, Graves, Hames, Hollis, Leeper, Mitchell, John G. Moore, McAlexander, Nisbet, Ogbourne, E. S. C. Parker, Price, Scruggs, Sims, Sykes, Towles, White, and Williams—27.

Mr. McLemore moved to strike out "\$3,000,000" and insert "\$5,000,000;"

Which was lost.

The bill was then read a third time, and passed—yeas 74, nays 00.

Those who voted in the affirmative are, Messrs. Speaker, G. W. Ashe, Atkinson, Barron, Benners, Bethea, Bishop, Bradley, Brooks, Chambers, Chapman, Charlton, Chisholm, Clarke, Cobb, Coleman, Cooper, Cox, Cumming, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Evans, Foster, Franklin, Gafford, Gardner, Gibson, Graves, Greene, Hames, Holley, Hollis, Jones, John Keenan, Lawler, Leeper, Lewis, Ligon, Magee, Manasco, Mitchell, Modawell, John Moore, J. G. Moore, Morrow, McAlexander, McInnis, McLemore, Nisbet, Ogbourne, Orr, Parish, C. A. Parker, E. S. C. Parker, Price, Reid, Roberson, Ryan, Scruggs, Sims, Sibley, Sykes, Taylor, Towles, Vanzandt, Vincent, West, White, and Williams—74.

Mr. Benners, by leave, introduced a bill to amend section 3536 of the code;

Which was read twice, and referred to the judiciary committee.

Mr. Bradley, by leave introduced a bill to incorporate the planters' insurance, trust, and banking company;

Which was read twice, and referred to the committee on ways and means.

Mr. Modawell, from the committee on local legislation, reported favorably to the bill for the relief of John Jelicho:

Which was read a third time, and passed.

At the hour of 12, m., the two Houses, in the hall of the House, in joint convention, proceeded to the election of superintendent of free public schools in this State:

G. B. DuVal alone being in nomination, and having received the whole number of votes cast, was declared by Mr. Speaker to have been duly and constitutionally elected for the term prescribed by law.

The Senate then withdrew to its chamber.

On motion of Mr. Cumming,

The House resumed the consideration of the bill to provide cotton and wool cards for the indigent families in this State, the question being upon the amendment of Mr. Parker to strike out "\$230,000" and insert "\$500,000:" after the word "purchase" add "or manufacture:"

Which was adopted.

Mr. Chambers moved to amend, by striking out of section 2 all after the words "so delivered," where they occur near the close of said section, and inserting in lieu thereof the following: "the cards so distributed shall be sold only to the indigent families of soldiers, and at a price not to exceed the cost and charges thereon, provided that in case of extreme indi-

gence they may be sold to industrious families at half price, upon the recommendation of the precinct commissioners of indigent families of soldiers;"

Which was adopted—yeas 50, nays 19.

Those who voted in the affirmative are, *Messrs.* Speaker, Atkinson, Barron, Benners, Bethea, Bishop, Brooks, Chambers, Chapman, Chisholm, Cobb, Coleman, Cooper, Cox, M. L. Davis, Dawson, Evans, Foster, Franklin, Gardner, Gibson, Graves, Greene, Hames, Hollis, John Keenan, Lawler, Leeper, Lewis, Magee, Mitchell, John Moore, Morrow, McAlexander, McInnis, McLemore, Nisbet, Ogbourne, C. A. Parker, Price, Reid, Roberson, Ryan, Scruggs, Seay, Sims, Taylor, Towles, West, and White—50.

Those who voted in the negative are, *Messrs.* G. W. Ashe, Bradley, Charlton, Clarke, Cumming, J. W. Davis, Holley, Jones, Ligon, Manasco, Modawell, John G. Moore, Orr, Parish, E. S. C. Parker, Sibley, Sykes, Vanzandt, Vincent, and Williams—19.

Mr. Parker moved to amend, by adding after the words "county commissioners" in section 2, the words "giving the preference to the indigent families of soldiers;"

Which was adopted.

Mr. Cooper moved to amend, by striking out all after the word "of" to the word "which," and inserting the words "indigent families of soldiers;"

Which was adopted.

When, on motion of *Mr.* Chambers, the bill was re-committed to be put in form.

Mr. Jones, from the committee on ways and means, reported adversely to the bill to repeal in part an act to prohibit the distillation of grain in the State of Alabama, &c., approved December 8, 1862.

Mr. Lawler moved to postpone the further consideration of the bill until Monday;

Which was carried.

Mr. Bethea, from the same committee, reported a bill to sell the furniture and other property, in the city of Richmond, belonging to the Alabama hospital, &c., for a donation to *Mr.* & *Mrs.* A. F. Hopkins;

Which was read twice, and postponed till 10, a. m., Monday.

Mr. Lawler, from the same committee, reported a bill to amend the revenue laws of this State:

Which was read twice, and postponed till 12, m., Monday next.

House adjourned till 10 o'clock, Monday morning.

MONDAY, NOVEMBER 30, 1862.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Vanzandt, of the House.

CALL OF THE COUNTIES.

The following bills were introduced, read three times, forthwith, and passed.

By Mr. Speaker Crenshaw, to confer jurisdiction upon the probate court of Butler county over the estate of Geo. N. Lewis, deceased;

Also, for the relief of James P. Boggan, tax collector of Butler county;

By Mr. Modawell, to increase the fees of witnesses in this State;

By Mr. Moulton, to grant further powers to the corporate authorities of the city of Mobile;

To authorize Richard T. Starr to marry;

By Mr. Taylor, for the relief of Charles Irby Mitchell;

By Mr. Cumming, to repeal an act to compensate jurors and witnesses in Monroe county, approved January 5, 1848;

By Mr. Nisbet, to amend an act to incorporate the Girard railroad company, approved January 21, 1846.

Mr. Jones introduced a bill to regulate judicial proceedings:

Which was read twice, and ordered to be engrossed.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Dawson, for the relief of Wm. S. Knox of Dallas county;

By Mr. Coleman, to regulate the publication made by probate judges, executors, administrators, guardians, &c., in certain cases;

By Mr. Morrow, to extend to the probate court of Jefferson county the provisions of an act therein named;

By Mr. Taylor, to provide for the settlement of estates;

By Mr. Ogbourne, to provide just compensation to certain State officers therein named;

By Mr. Benners, in relation to the incorporation of companies.

Mr. Chambers introduced a bill to amend the road laws of this State;

Which was read twice, and referred to the committee on roads, bridges and ferries.

Mr. Evans introduced joint resolutions giving expression to the fidelity, patriotism, and sagacity of the administration of Jno. Gill Shorter;

Which were adopted.

Mr. Vanzandt introduced a bill to repeal an act to exempt

from military duty all persons employed by Heroce Wan in manufacturing iron, and all other persons similarly engaged, approved November 9, 1861;

Which was read twice, and referred to the military committee.

Mr. Dawson introduced a bill to encourage the manufacture of spinning machines.

Mr. Donnell introduced a bill for the relief of Thomas W. Hine, tax collector of Limestone county;

Which was read twice, and referred to the committee on ways and means.

Mr. Chapman introduced a bill to levy a tax on salt producers, and for other purposes;

Which was read twice, and referred to the salt committee.

Mr. Lawler presented the account of H. P. Watson;

Which was referred to the committee on accounts and claims.

Leave of absence was granted to Mr. White.

House bills amended by the Senate:

To increase the *per diem* of the commissioners, tax collectors and assessors in Clarke and Tuscaloosa counties;

To prevent gaming in this State;

To incorporate the grocers' and factors' marine and fire insurance company of Mobile:

Which amendments were concurred in.

House bill to fix the time of the meeting of the General Assembly. The Senate insists on its disagreement.

Mr. Chambers moved to adhere and ask for a committee of conference.

On motion of Mr. Cobb, the bill was laid on the table.

Mr. Head, from the select committee to whom was referred the bill granting to soldiers' wives and children a pre-emption right to 80 acres of land, reported a substitute therefor.

Mr. Parker moved to lay the substitute and bill on the table;

Which was lost--yeas 35, nays 42.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Benners, Bethea, Bishop, Charlton, Coleman, Cumming, M. J. Davis, Dawson, Gafford, Gardner, Gibson, Graves, Greene, Hames, Hollis, John Keenan, Leeper, Magee, May, Mitchell, John Moore, Joan G. Moore, Moulton, McInnis, Nisbet, C. A. Parker, Reid, Robeson, Ryan, Scruggs, Towles, Williams, and Wolff--35.

Those who voted in the negative are, Messrs. G. W. Ashe, Atkinson, Bradley, Brooks, Brown, Chambers, Chapman, Chisholm, Clarke, Cobb, Cox, J. W. Davis, Donnell, Ellis, Evans,

Foster, Head, Holley, Jones, Lawler, Lewis, Ligon, Manasco, Modawell, Morrow, McAlexander, McClelland, McLemore, Ogbourne, Orr, Parish, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Taylor, Vanzandt, Vincent, and White—42.

Mr. Cumming moved to strike out "40," in the substitute, and insert "80;"

Which was lost.

Mr. Parsons moved to amend, as follows, which was adopted, to come in at the end of section first: "Provided that the person or persons entering land under the provisions of this act, shall actually reside on said land until twelve months after the close of the present war, and on failure to do so the land so entered shall revert to the State."

Mr. Bethea moved to postpone the whole subject until 12, m., on Wednesday, and make it the special order for that hour;

Which was lost.

Mr. Benners moved to amend, after the word "mineral" insert "and coal;"

Which was adopted.

Mr. Modawell moved to amend as follows: "Provided, that any widow who has or may hereafter lose their only son or sons in the present war, shall be entitled to the benefits of this act;"

Which was adopted.

Mr. Benners moved to amend as follows: after the word "Confederacy" add "and no entry has been heretofore made by the applicant under this act;"

Which was adopted.

Mr. Dawson moved to amend as follows: "Provided, that no lands entered under the provisions of this act shall be aliened or sold during the widowhood or minority of the beneficiaries therein;"

Which was lost.

Mr. Dawson moved to amend as follows: "Provided, that no lands upon which the family of any soldier now resides shall be subject to entry, under this act, by any other than the person residing thereon;"

Which was adopted.

The hour of 12, m., having arrived, the House proceeded to consider the special order, it being the substitute reported by the committee on ways and means for the bill to compensate the owners of property lost in the public service.

Mr. Sykes moved to amend as follows: to strike out all after the word "property," in the second line of the substitute, to the word "employed:"

Which was adopted.

Mr. Coleman moved the indefinite postponement of the bill;

Which was carried.

Mr. Bradley, from the committee to whom was referred the bill for the relief of persons rendered destitute by the seizure or waste of their means of subsistence by the public enemy, reported amendments thereto;

Which were adopted, and the bill was made special order for 10 o'clock, to-morrow, on motion of **Mr. Bethea**.

Mr. Ogbourne, from select committee, reported favorably to the bill to amend an act to incorporate the city of Montgomery, &c.;

Which was read a third time, and passed.

The bill to authorize the issue and sale of State bonds:

Was read a third time, and passed.

Special order to provide for leasing State salt works, &c., was taken up.

Mr. Parsons moved to amend as follows: amend at the end of section first by adding the words "and said commissioners shall make oath in writing, before entering upon the discharge of their duties, that they will not either jointly or severally, directly or indirectly, purchase or lease any of said property, or be interested in any purchase or lease made under the provisions of this act, which shall be filed with the Governor;"

Which amendment was adopted.

Pending the consideration of the bill, **Mr. Parker** offered the following resolution:

Resolved, That the House will meet at 7, p. m., to discuss the revenue bill;

Which was adopted.

Message from the Governor by **Mr. Taylor**.

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives, entitled:

An act for the relief of certain government contractors;

An act to attach the road leading from the eastern end of Adams street, in the city of Montgomery, to the Line creek road;

An act to regulate the number and pay of grand and petit jurors in the county of Walker;

An act to authorize the judge of probate of Lowndes county to record a certain paper;

An act for the relief of **Duncan Findley** of the county of Pike;

An act to remove the settlement of the guardianship of **Julius C. Alford**, deceased, late guardian of **Julius S. Alford**, from

the probate court of Pike county to the probate court of Montgomery county;

An act to authorize the commissioners' court of Clarke county to make salt, &c.;

An act to amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863;

An act for the relief of the heirs of Hardy Abney, dec'd;

An act authorizing the commissioners' court of Dale county to pay a certain claim;

An act to repeal a certain local act for Cherokee county therein named;

An act to amend the charter of the Eufaula home insurance company;

An act to incorporate the central city insurance company;

An act for the protection of artesian salt wells of this State;

An act to increase the pay of county officers of Clarke county:

An act to incorporate the Dallas oil works;

An act for the relief of N. Y. Alston;

An act to authorize the judge of the sixth judicial circuit to fix the place of holding the circuit court of Baldwin county;

An act to amend sections 430, 431, and 432 of the code, as to Shelby county;

An act to amend an act to contribute to the support of the families of soldiers in the military service from the State of Alabama, approved 29th August, 1863.

An act for the relief of the poor in Cherokee county:

An act to amend section 1203 of the code:

An act for the relief of Sedwin Dolive and Alexander Dolive of Baldwin county;

An act for the relief of Edward P. Holcombe of Lowndes county;

Joint resolutions to secure the passage of a law exempting certain persons from payment of Confederate tax in kind;

Joint resolutions to exempt from the payment of the tax in kind the families of soldiers whose support is derived from white labor alone.

The Governor has also approved

Joint resolutions, which originated in the House of Representatives, donating a section of land and medal to Miss Emma Sansom, of Cherokee county, in consideration of public services rendered by her.

House adjourned till 7, p. m.

TUESDAY, DECEMBER 1, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Reid, of the House.

The morning business was suspended to take up Senate messages.

House concurred in the Senate amendments to the House bills:

To amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863;

To authorize overseers of roads to serve process in certain cases;

To amend an act to repeal an act imposing restrictions on the city council of Montgomery.

The following Senate bills were read three times, forthwith, and passed:

To provide indigent families with salt and cotton yarns;

For the benefit of the widow and children of James Morgan, deceased;

To provide water for the State Penitentiary;

For the purchase of stationery and fuel;

To authorize the Governor to rescind certain contracts therein named;

To provide for the location, partition, and allotment of lands held in common by two or more railroad companies;

For the relief of the western railroad company;

For the relief of Benj. Driver of Chambers county;

(Which last bill passed by the constitutional majority.)

To authorize the formation of volunteer companies in the 1st, 2d, and 3d congressional districts:

To amend an act therein named.

The following Senate bills were read twice and referred to the judiciary committee:

To allow plaintiffs to be witnesses in attachment causes in certain cases;

For the relief of W. M. Seldon, trustee;

To detach certain counties from the middle chancery division and to attach others, &c.;

To change the time of holding the chancery courts in the 5th, 6th, 7th, 9th, and 12th districts;

To prevent slaves or free negroes from trading, &c.;

To repeal the third section of an act to regulate the sale of real and personal property by executors, &c.;

To extend the jurisdiction of courts of probate;

To increase the fees of the probate judge of Bibb county;

To revise and extend the provisions of an act to prevent the practical disfranchisement of volunteers from Alabama, &c.;

To authorize decrees to be made by chancellors in vacation, &c.;

To amend the charter and change the name of the Shelby coal railroad company;

To authorize the guardian of the children of N. Harris, deceased, to rent the estate of his wards privately.

The following Senate bills were read twice, and referred to the committee on ways and means:

Further to amend the revenue laws of this State;

To relieve tax payers in certain cases;

Appropriating a sum of money to pay for the preparation of the treasury note change bills;

To authorize the use of funds appropriated for military and hospital purposes;

To meet appropriations for the indigent families of soldiers.

The following Senate bills were read twice, and ordered to a third reading:

To authorize and require the commissioners' court of Clarke county to levy a special tax, &c.;

To incorporate a rolling mill company.

Senate bill to consolidate the unexpended fund of the military appropriation;

Was read twice, and referred to the military committee.

Senate bill to amend the laws in relation to public lands;

Was read twice, and referred to the committee on public lands.

Mr. Cobb, from the committee on roads, bridges and ferries, to whom was referred the bill for the establishment of an additional ferry on the Alabama river near the city of Montgomery, reported favorably thereto;

And the bill was read a third time, and passed.

INAUGURATION.

The hour of 11 o'clock having arrived, the Senate, by invitation, appeared within the hall of the House, and the two Houses in convention received the Governor elect.

Thomas H. Watts, Governor elect of the State of Alabama, in the presence of the joint convention, delivered his inaugural address, as follows:

INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives :

Called by the voice of the people of Alabama, without solicitation from me, to preside over the destiny of the State, for the next two years, I cannot feel otherwise than grateful for this generous manifestation of confidence and esteem. In a time of profound peace, such an honor might well be deemed the fit reward of a lifetime of public service. But conferred when the duties of the office have been increased a hundred fold by the multiplied business created by the greatest war of modern times; when the clangor of war is heard all around us, and the sighs for our fallen brave fill every passing breeze, I scarcely know whether thanks are due for the grave responsibilities with which this election clothes me. I feel that I shall have need of the constant support and hearty sympathies of an indulgent people, and I pray God to give me such strength and wisdom as will enable me so to conduct our affairs, that no detriment shall accrue to the people of Alabama, and no stain shall mar the beauty of her honored name. Multiplied, grave and onerous as the duties of the office may now be, still I cannot deny, whilst entering on the discharge of its high functions, I feel some such pride and pleasure as a dutiful son must feel when obeying the will of a noble mother.

Gentlemen : On the 11th day of January, 1861, the sovereign people of Alabama, through their delegates in Convention assembled, declared by solemn ordinance, that the bonds which bound her to the Government of the United States were severed. In thus deliberately acting, the people of Alabama only exercised a right belonging to every free people. In the days of 1776, our forefathers declared that to secure life, liberty and the pursuit of happiness, "Governments are instituted among men, deriving their powers from the consent of the governed ; and that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." After a war of seven years, checkered with various defeats and victories, our Revolutionary sires achieved a crowning triumph, and wrung from the grasp of British tyranny, their liberties and independence. The reluctant consent of Great Britain was given to the great principles of freedom for which they contended. In the treaty of peace which closed this revolutionary struggle, the old thirteen States, naming them separately and distinctly, were

acknowledged by Great Britain to be "*free, sovereign and independent States.*" France was a party to this treaty; having given of her blood and treasure to accomplish this grand result. The articles of Confederation formed and adopted during the progress of the war by the several States, then united in a common cause, declared that "each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this Confederation expressly delegated to the United States in Congress assembled." These articles likewise declared that they were formed for a confederation and *perpetual* Union between the States agreeing to them.

After the pressure of the war was over, and when the recollection of common dangers and difficulties became less vivid, a new Constitution, that of 1787, was formed by the States then composing the Union, and after being thus formed was submitted separately to a Convention of delegates chosen by each State, for its free acceptance or rejection. This Constitution was to be binding only between those States ratifying the same. Each one of the States, at different times, some promptly, some with lingering reluctance, separately and independently of each other, withdrew from the articles of Confederation, and thus formed a new Government under the Constitution of the United States. The sovereign people of each State, through their own delegates in convention assembled, adopted this Constitution to govern them in their intercourse and relations with foreign nations, and in their relations and intercourse with each other. The same sovereign people in each State who adopted State Constitutions, and who throughout our political history as the United States, made, altered, or abolished their State Constitutions, ratified and adopted as their federal Constitution, the Constitution of 1787. In this Constitution the right of the sovereign people of each State, to alter or abolish their Government and to establish new governments for their safety and happiness, is not surrendered; neither is it prohibited. This Constitution expressly provides that, "the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

This Constitution provides for the admission of new States. Under its provisions, the Congress of the United States, on the 2d day of March, 1819, authorized the people of Alabama Territory "to form for themselves a Constitution and State

government, and when formed into a State, shall be admitted into the Union upon the same footing with the original States, in all respects whatsoever." In accordance with this act of Congress, the people of Alabama, through their delegates in Convention assembled, made their State Constitution and State Government, and ended their work on the 2d of August, 1819. On this day—the 2nd day of August, 1819—our forefathers in Alabama, through their delegates in Convention assembled, declared as a part of their fundamental and organic law that "all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit; and therefore they have at all times an inalienable and indefeasible right to alter, reform, or abolish their form of Government in such manner as they may think expedient." With this declaration contained in the Constitution of Alabama, the Congress of the United States, on the 14th day of December, 1819, declared the State of Alabama to be one of the United States of America, admitting her by express terms into the Union "on an equal footing with the original States, in all respects whatsoever." Whatever right Virginia, or any other State of the original thirteen possessed, Alabama possessed. Virginia in the ordinance ratifying and adopting the Constitution of the United States, expressly reserved her right to withdraw the powers delegated, whenever in her judgment, the safety and happiness of her people demanded it. When the people of Alabama through their delegates in Convention assembled, on the 11th of January, 1861, declared their withdrawal from the United States, they were only exercising a right which the declaration of independence declared, belonged to every free people—a right not denied or prohibited in the Constitution of the United States; a right exercised by every State when the Constitution of 1787 was formed and adopted—an inalienable and indefeasible right to alter, reform or abolish their form of Government, which Alabama's bill of rights declared might be done "at all times"—a right vital to freemen—dangerous only to tyrants.

The sovereign people of Alabama through their delegates in Convention assembled, in 1861, only repealed an ordinance, which the same sovereign people, through their delegates in Convention assembled, ordained in 1819. The simple ordinance of secession declared the Constitution of the United States no longer binding on the people of Alabama; and that they were free to form and accept a new Constitution to govern them in their relations to other States, and with foreign powers. The State Government—the people of Alabama, remained the same; their relations to other States alone were changed.

In accordance with the dictates of her judgment, Alabama and other States, now known as the Confederate States of America, formed a new Constitution and a new Government, based on the principles of the old one, amending the Constitution so as to leave no room for doubtful construction on disputed points.

Because of the exercise of this right—a right lying at the foundation of all free government, and the corner stone of every republican system of government, the Northern States, now calling themselves the United States, made war on the Confederate States. The authorities of these Northern States by their declarations and their conduct thus deny the right of free government—deny that all governments derive their powers from the consent of the governed—deny the doctrines of the Declaration of Independence, and the principles of the fathers of the republic and assert and attempt to exercise the doctrines of force. They deny to the people of Alabama the right of self government, and declare the monstrous pharisaic dogma, that they have the right to *coerce* us to be subservient to their will! they are our *superiors*, our masters and we, their inferiors! their slaves!

Freemen of Alabama! If you had submitted to such monstrous pretensions, you would have been unworthy the heritage of freedom your patriot fathers left you! You would have been unworthy the sires from whence you sprung! you would have been unworthy the name of freemen! You would have been base cowards, slaves indeed! fit for Yankee masters!

When the Constitution of 1787 was adopted, the Northern States had little more of population than the Southern States. Even under the census of 1790, the political power of the North, as reflected in the House of Representatives of Congress, only exceeded that of the South by *five* majority. The North was cold in climate with comparatively rugged and barren soil. The South was blessed with a mild and generous and healthful climate, and with a soil of unsurpassed fertility. The South had more commerce, more wealth and all the prospects, as far as natural advantages indicated, of a far more rapidly increasing population. Yet, in the progress of our history, through means of various acts of congressional legislation (unnecessary here to mention), large portions of Southern territory were devoted to Northern aggrandizement, the population of the North was greatly augmented beyond the natural increase; the bulk of the commerce and capital of the country was concentrated there. The rich South was despoiled of her wealth and commerce and had become for

years little more than tributary to the swelling magnitude of Northern commerce and power. In proportion to the increased commerce, augmented population and concentrated capital, the political power of the North was increased. So that under the census of 1850—little more than half a century after the adoption of the Constitution of 1787—the political power of the North as reflected in the House of Representatives, had increased from five to fifty-five majority. With this increasing political power came constant turmoil and aggressions on the rights of the South. The most solemn constitutional guarantees were trifled with or wantonly disregarded by the States and people of the North.

Almost from the foundation of the government under the Constitution of 1787, the North and the South differed—widely differed—as to the character of the government and the construction of the Constitution. The North always contended for a latitudinous, the South for a strict construction of the Constitution. There was manifested in the North a constant and persistent tendency to regard the people of the United States as *one nation*. The South more truly maintained that in no sense could the United States be considered as one nation, except in the relations they bore to other governments and nations; that the true character of the government was that of a federal republic having for its basis a confederation of separate and sovereign States. The whole framework of the Constitution and the history of its adoption proved the Southern view to have been the correct one. Instead of being a government controlled by a mere numerical majority as contended by the statesmen of the North, it was intended by its framers to be controlled and governed by concurrent majorities of States, and the people of the States as represented in the House of Representatives. The States in their separate sovereign character adopted the Constitution. It was binding on none until accepted by the free consent and ratification of its people. No act could ever become a law by the simple majority of the people as represented in the House of Representatives. The Senators, the Representatives of the States—the larger and smaller being equal in power—must first concur. And yet still, the President, who, when elected by electors, was the double representative of the States, and the people of the States, and when elected by Congress, the Representative of the States, must give his sanction, before any measure could become a law, unless passed by a constitutional majority over his negative. So long as the South had equality with the North in the Senate, the South had some guaranty that her rights would be protected. But when the progress

of events destroyed this equality, the rights of the South, as recent events clearly prove, were no longer safe in the Union.

When the North obtained a majority of the States, and a majority of the people of the States, the greed of sectional dominion with insane furor seized the public mind, and not heeding even the warnings of her own patriotic sons, disregarding the protests of the minority South, the North undertook to select the President and Vice President from her own borders, and by purely a-sectional majority to instal the wildest fanaticism in a chair once honored by Washington. So that in truth and in fact, whatever may have been the theory, the North having a majority of States, a majority of the people—majority in Senate and House of Representatives—and a President and Vice President selected from the North by a purely sectional vote, thus ignoring the South in the administration of federal affairs, the government became practically one, governed by the will of a *mere numerical majority*! In all ages such a government has been a despotism!

For years the South watched with intense interest the rapid progress of events; the increasing fanaticism of the North, threatening destruction to the landmarks of the Constitution of our fathers, and endangering the great interests and liberties of the South. In various ways and at repeated times, the Southern people evinced their apprehensions for their future peace and happiness. The two great parties in the slaveholding States each adopting resolutions as portions of their party creed denouncing the election, by the North, of a Black Republican President on a platform avowing the destructive dogmas of that party, and they declared their firm purpose, in the event of such election! to sever every tie which bound them to the Union. In Alabama this was done as early as 1856. In 1859 '60 the Legislature of Alabama, by a vote unanimous, save two dissenting voices, passed resolutions, authorizing and requiring the Governor of the State, in such event, to call a convention of the people of the State 'to consider, determine and do whatever in the opinion of said convention, the rights, interests, and honor of the State of Alabama require to be done for their protection." The people of the South made all honorable efforts to avoid the necessity which such an event would produce. By conventions and legislatures solemn warning was given to the people of the North of the fixed determination of the South on this subject. But the North, disregarding the time honored principles of the fathers of the Republic, turning a deaf ear to the voice of Southern patriotism, forgetful of the ties which bind freemen to principles, ignoring the hallowed associations of our revolutionary

history, mad with fanaticism ; and filled with the boastful pride of numerical strength, rushed headlong in the wild career of sectional domination.

When the Convention of Alabama met on the 7th day of January, 1861, the members were united in heart. The *unanimous* declaration on the first day of the Convention, "that the people of Alabama *will not submit* to be parties to the inauguration and administration of Abraham Lincoln as President, and Hanibal Hamlin as Vice President of the United States of America." demonstrated a fixed and united purpose. The co-operationists and separate secessionists were equally intent for *resistance*, equally honest, equally patriotic : and they only differed intellectually, as to the best and safest mode of making that resistance effectual and permanent. And when the first tocsin of war was sounded, co-operationists and secessionists marched shoulder to shoulder, heart to heart, hand in hand to the arbitrament of battle. From the Gulf to our northern border ; from the mountains, valleys and plains ; from the east and from the west, the stalwart sons of Alabama rushed to the standard of the newborn Republic. And with dauntless bravery and heroism, they have crimsoned with their blood every battle field from Manassas to Chickamauga. An imperishable monument of glorious renown has been erected for the State ! The name "*Alabamian*" has become immortal in history !

In the commencement of the war, Lincoln and his followers declared their purpose as simply to repossess the forts and arsenals, the public property ; and to suppress the rebellion. It was supposed by the North that the large mass of the people in the South were willing to submit to Black Republican rule—and that it only needed an opportunity to rally around the flag which was once the proud ensign of a united people. These flattering anticipations were soon dissipated. Seventy five thousand men were deemed by them quite sufficient to crush, in ninety days, the power of the Confederate States. The flying hosts of Lincoln at Bethel and Manassas showed the prowess of Southern arms, and the folly of Northern calculations. The banner, once loved and honored by Southern people, became the object of loathing and disgust, and the hated emblem of oppression and tyranny.

Then three hundred thousand additional men were called for by Lincoln ; and the South by the power of numbers was to be *coerced* into further affiliation with the North ! The Confederate States were to be *forced* back into a Union, whose first principle was *free consent*. It was vainly imagined by the

wise men of the North, that the eighteen millions of northern whites could and would very soon crush to powder the eight millions of southern white people : especially as in their vain imaginings they supposed the four millions of blacks were here amongst us ready to burst the bonds which bound them to us. But these men, wise in their own conceit, forgot that "the battle is not always to the strong, nor the race to the swift." They forgot that there was a God of justice, the ruler of men and nations.

In numerical strength, and in all the appliances of war, the North certainly had greatly the advantage of us. The North had the regular army, the navy, the commercial marine, manufactories of arms and of all the munitions of war. The South had no regular army, no navy, no commercial marine, no manufactories of arms or powder! Very soon all our ports were blockaded, and being thus cut off from the outside world, we were left to our own resources, our own strong arms and stout hearts. By the blessing of God, these have availed us thus far to maintain our cause. We have, as it were, improvised armies, arms and munitions, of which Napoleon, in his palmiest days might have been justly proud. Aye, more! by the energy and wisdom displayed, by the brilliant achievements of our arms on a hundred fields, by the high regard we have paid to civilized usage, by the chaste magnanimity we have shown to our enemies, we, but yesterday unknown, to-day have drawn from reluctant lips, not only praise, but the admiration of all enlightened nations.

The series of brilliant triumphs, achieved over the North in 1862, caused the President of the North to announce a different policy. With all the efforts of the people of the North aided by every foreigner, who could be bought with money or seduced by promises of booty; with the ports of every nation open to his commerce and his necessities, Lincoln was forced to admit, that the eighteen millions of northern whites could not coerce the South back into the Union. A new discovery in Black Republican philosophy was made. It was proved by numerous experiments in the great crucible of practice that the slave population, instead of being a grand volcano, threatening destruction and death to the cause of Southern independence, was a great element of Southern power.

Lincoln, without the authority of his Congress or Constitution, in the fall of 1862, proclaimed his intention to declare free, every slave of the South, unless by the 1st of January, 1863, we should lay down our arms, and with crossed hands repentantly submit to his dominion. The South scorned alike

his threats and his promises! His threatened proclamation in due time made its appearance. It was as impotent as it was unconstitutional. It was mere *brutum fulmen* so far as it affects the institution of slavery. But it deserves to be considered by our people as showing the temper of the Northern mind. In the first place, it is a humiliating confession of Yankee weakness. It is a confession that the eighteen millions of Northern whites, strengthened by all the foreign aid they could get, were unable to coerce the Southern States back into the Union. In the next place it shows an utter disregard of Constitutional obligations, a palpable violation of that Constitution once revered by our fathers and by us. In the third place, it shows an utter disregard of the principles of international law settled for ages, by publicists, and recognized as binding by Kent, Wheaton, Gardner and Adams! It is in the fourth place, a deliberate attempt to excite our slaves to insurrection. It is an invitation, yea an urgent solicitation, to an ignorant race, recognized as our property by the Constitution Lincoln has sworn to support, to commit murder, rapine, rape, arson, and all manner of diabolical deeds. An invitation to have our homes and our firesides deluged with the blood of our wives and our children. It is the expression of fiendish wish to see a whole country deluged in innocent blood, and to hear the mingled lamentations of a whole people, and to see the "blackness of darkness" like a funeral pall, overspread forever, the glories of our sunny land!

This proclamation was the first authoritative announcement, that this war was no longer waged for a restoration of the Union. Reconstruction of the Union is no longer desirable, no longer practical, even with Lincoln! It has been recently announced by Lincoln's Solicitor of the Treasury—it is proclaimed by his Generals in the field, approved and applauded by a sycophant press and people, that the purpose of the North now is, to *subjugate* the freemen of the South, to confiscate all their property and deprive them of all that freemen hold dear! State lines and all State rights are to be abolished. The right to have Legislatures, Governors, Judges of our own choosing, juries from amongst us, the right to vote, even every civil and political right is to be denied to the *subjugated* South! Some Butler or some black *satrap* of Lincoln's creation, would in such an event, be the Governor of Alabama, with a standing army of blacks to ravage our country, outrage our women, and hold freemen in bondage!

As if God had given such a people over to the reprobation of the Devil, during the progress of this war, the people of the North seem to have lost every principle of morals, law

and religion which adorn a civilized people! In attempting to deprive us of our liberties, they have lost their own! Every principle of constitutional liberty amongst them has been destroyed. The writ of *habeas corpus*, the great writ of liberty wrung from tyrant hands ages ago by our British ancestors, has been suspended by the simple will of Lincoln. The freedom of the press--of speech, the right of petition, trial by jury, have all been trampled under foot. The monstrous dogma has been proclaimed in high places that in time of war, the Constitution, its guarantees and prohibitions, are all suspended, and that all power to do or not to do, is concentrated by political necessity in the unrestrained hands of a single man! On their part, in the conduct of the war, every principle of civilized usage has been set at naught; obligations and stipulations, always heretofore held sacred even by savage nations, have been violated, when convenience and present policy interfered with their fulfillment. In such portions of our country as the fortunes of war have enabled them to possess, private property heretofore respected by the usage of all modern nations has either been dishonestly appropriated or wantonly destroyed. Works of art and ornament, the proudest achievements of genius; the keep-sakes and mementoes of departed friends, have been filched from the places they graced, and carried North to beautify some Yankee general's parlor, made luxuriant by the spoils from Southern households. The graves of our honored dead, the houses where Christians worship God, have been basely desecrated (despoiled of the emblems which love had consecrated to honor), polluted, and destroyed by these Northern Goths and Vandals! It almost seems that such a people have always been strangers to us! Is it possible that we could ever again dwell in political Union with such a people? It is almost an insult to ask a Southern man such a question.

By the graves of our fallen sons, around our desolated altars, in view of our devastated fields and blazing homes and cities; in view of our banners red all over with Southern blood, let us renew our faith to the Southern cause, and let us swear before high Heaven, whatever else may be our fate, we will never have political connection with such a God cursed race!

Whatever may have been the differences of opinion amongst our people as to the propriety of dissolving the Union in 1861, there cannot now be any difference as to our duties to our State and Country. Our property, our homes, our wives and our children, our lives, our liberties and our honor--everything we hold dear on earth--are dependent upon the triumph of Southern arms. Should we be conquered, every thing worth

living for will be gone. Our political salvation now depends on our own resources, our own energies, bravery and fortitude. With the continued favor of Providence, and with hearty co-operation amongst ourselves, we shall be equal to the task before us. Every motive which can urge a freeman to noble deeds and lofty daring prompts to action now. Death will be a heavenly boon compared to the miseries of Yankee rule. If the proud Roman could sing, in the name of Roman power, *dulce est pro patria mori*—'tis sweet for one's country to die—can we not prove by our actions 'tis glorious to die for our native land?

If our people will only be true to themselves, true to their homes and their firesides, and true to their God, our liberties are safe and our triumph is sure. In the beginning of the war, we had only undisciplined citizen soldiers, few guns, no heavy artillery, little powder and other munitions or appliances for warlike defense. After near three years of war, we have larger armies to day than we have ever had; we have more arms, munitions and equipments of war than we have ever had. We have manufactories of arms and powder sufficient to arm our whole people. We have a growing navy. Already the few cruisers we have put afloat have driven the bulk of Yankee commerce from the ocean, or compelled their vessels to seek shelter under the flags of foreign nations. We have fought more battles than Alexander, Cæsar or Napoleon ever fought. In nearly all we have been the victors. In not one, where there has been anything like equality in numbers have we ever failed to triumph over the foe. In all the great battles we have been greatly inferior in numbers to our enemy. To day we are more nearly equal to our enemy in numbers, than we have ever been. If all our men now enrolled, were at their posts of duty, our armies in the field would quite equal those of the enemy. It is true we have met with some serious reverses. But in the Providence of God our reverses have availed the enemy little advantage. Our reverses and sufferings have never half equaled those of our fathers of 1776, and yet they, three millions in number, triumphed over all the power of Great Britain.

The "Old Dominion," whose soil has been truly "the dark and bloody ground" of this war, stands yet erect, and proudly boasts *sic semper tyrannis*. McDowell, McClelland, Pope, Burnside, Hooker, Meade, each with an army the "best the world ever saw," with boastful pride and banners gleaming, has essayed to find a road to Richmond. Each has been signally foiled in all attempts on the capital of Virginia and of the Confederacy, by the Beauregards, Johnstons, Lees, Jacksons

and Longstreets of the South. While Virginia stands as an adamant wall, against the onward march of Lincoln's columns, never let the voice of despondency be uttered from our lips, or find a lodgment in our hearts.

Charleston, after one hundred and forty days' bombardment, from navy and land batteries combined, controlled and directed by all the science of Yankee ingenuity, still stands with her colors proudly and defiantly floating. The names of Sumter and Moultrie have had the glories of 1863, added to the renowned memories of Revolutionary times.

Whilst Alabama mourns thousands of her noblest men, her Jones's, Martin, Lomax, Moore, Hale, Baine, Woodward, Pegues, Pelham, Tracey, Garrett, Webb, Deshler, and other fallen braves, have erected along the mountain cliffs of fame, the beacon lights, by which in all time, her sons of freedom, may discern the path to honor and renown.

Had I the time, and you the patience, it would delight me to refer to many incidents of battle, in which Alabama's sons have gained a "deathless name." Nor yet would I stop with recounting the deeds of Alabama's sons! Her daughters are the diamonds which sparkle in her coronet of glory! Woman's voice whispered courage, when the first blow for freedom was struck! Woman's hands made the clothes the soldier wears! Woman made the banners under which the soldiers rush to the charge! Woman's smiles encourage the timid, her frowns send back the skulker to duty! and her fortitude gives new strength and assurance to the despondent.

Go to the fireside, and there is heard the mother's prayer for husband, son, and country! Go to houses made desolate by the horrors of war, and there is heard the sympathetic sigh of woman! Go to the Hospitals, where our sons and brothers with mangled limbs and bleeding hearts in confusion lie, and there woman binds up the broken limbs and soothes the bleeding hearts. Go to the couch of the dying soldier boy far from home and friends and there woman's hands wipe the death damp from his noble brow; and her tears soften the sod over his humble grave. Woman has been and is the inspiring angel, whose influence nerves the arm and swells the heart of the soldier in the camp, on the march, on the battle field in the death struggle for liberty. Woman has recorded her name on the brightest page in our annals of Freedom!

But, gentlemen, we have grave duties yet to perform before our Independence is safe. Large numbers of our soldiers have gone from home, carrying their lives in their hands, to fight our battles, and have left their wives and little ones, without

the means of comfort—yea, many without the means of subsistence. There are many women and children made widows and orphans by this war, equally comfortless, equally unprovided for. Now what is our duty to these? It is obviously to feed, to clothe, to comfort, to protect, to care for those, the loved ones of our brave soldiers, thus become the children of the Republic. Whilst all the people of Alabama have their lives and their liberties staked on the result of this war, and large numbers have property to be saved and protected, many of our soldiers now in the field have nothing but their lives, their wives and children, and their liberties. Those of our people who have property to be saved and protected, are under a double obligation to feed, clothe and protect the wives and children of the brave men who form with their bodies breastworks against Yankee invasion and outrage. The people of South and Middle Alabama, the seat of wealth and plenty, cannot discharge their whole duty unless they, out of their abundance, provide for the families left destitute in other portions of the State. Let the soldier know whilst he is gone that his loved ones at home are cared for, and this very knowledge gives renewed strength to his arm, fills his heart anew with the fires of patriotism. I trust that liberal and just hearts need on this subject but a suggestion. But gentlemen legislators, you will not discharge your duty unless you provide for the wants of these wives and children. Tax heavily if need be—tax liberally the property of the citizens of the State, so that their wants may surely be supplied, and thus show to the brave defenders of our soil, that their services are appreciated by grateful hearts at home. Let us in private and in public stations come up to the full measure of our duty. We have fallen short of our duty, I fear. I know we have been too much absorbed with a greedy lust for money making. The glittering treasures, which filthy lucre hoards, have been gathered, too often, from the tears and sighs of widows and orphans, wives and children of soldiers, who, amidst the thunders of battle, have poured out their life blood. God will never prosper riches so acquired, nor favor any people so forgetful of the duties of humanity and true patriotism.

Our Confederate currency must be upheld. Every dollar's worth of property in the Confederate States is pledged for its redemption. It can only become worthless by our subjugation; by our failure to achieve our independence. If we are ever conquered, we shall conquer ourselves by failure to discharge our duty. If we fail, then nothing we can call our own will be worth a dollar to us. It is the currency which our soldiers receive for their services. If it is good enough for them, it is

surely good enough for any property we have. Let it be sustained at all hazards. The credit of the Confederate States is the lifeblood of Southern liberty.

The Legislature of Alabama and of the several States ought to aid in sustaining the credit of Confederate promises. Our Senators and Representatives in Congress ought to feel and know that a people who have shown no unwillingness to give up their children as sacrifices on the altars of Southern freedom are ready to devote their property to the establishment of their independence.

We should cultivate a better spirit of harmony amongst ourselves. We are all engaged in a common cause. Whatever is the interest of any good man, is the interest of the whole State. One fate awaits us all. We must resolve to die in one common grave, or live in the enjoyment of a common liberty. The fires of past party must be extinguished. The baptism of blood through which our people have passed, in defence of a common cause and country, ought to have washed out all the defilements of prejudice, renewed in us right spirits and fitted us for a nobler career of future prosperity and happiness. Let us learn to regard every man who sustains our cause with his blood or treasure, as a friend and a brother, whatever may have been his former opinions. And let us henceforth, and until this contest ends in our complete independence, have but *one party*—and let that be, heart and soul for the Southern cause!

Let us give to our noble President and those associated with him in power, a generous confidence and support. That he has committed errors is simply to say he is a man! No man, in his trying position, could have shown more energy, more ability, more patriotic fervor, more regard for the rights of the people and of the States.

But whilst I advise a generous confidence in our public authorities, I would not have the people forget that "Vigilance is the price and preserver of liberty." In times of war the tendency of authority, civil and military, is to assume unwarranted power, under the plausible plea of public necessity. Let us never forget that our Constitution was made for war and peace, and that we have for its construction but one set of rules which *shall* govern in war as well as in peace. And let the cardinal rule be, *strict construction*. Let us not overlook the fact that the military power, by the Constitution, is to be always subordinate to the civil authority; and let us take care that our rights and liberties at home shall not be sacrificed, whilst resisting the oppression and tyranny of the North.

Whilst Alabama has not shown any disposition to shrink

from the performance of her full duty to the Confederate States, still she has not promptly responded to the last call made on her by the President. I know the reason why this delay has occurred. Let there be no cause for further delay. Our State has been invaded, and every day the enemy's footsteps pollute our soil, adds insult to injury, and ought to arouse higher and higher the just indignation and the energies of our people. Let us arouse our people in every county of the State, and let it not be said that Alabamians can sleep quietly at home, whilst any of our citizens have been brutally murdered, driven from their firesides, their property pillaged, or ruthlessly, maliciously and wantonly destroyed.

If we will promptly organize under the act of Congress for local defense, or under the militia laws of the State, thousands of troops now engaged in catching skulkers and deserters, can be sent to the armies to which they belong, and the people who have been harassed and their substance eaten by men paying little regard to persons or property, will be free from annoyance. The skulkers and deserters can and will be sent to their duty, by good men organized at home. The excesses and outrages committed by irresponsible bodies of men in some portions of our State, is a sore and crying evil and they must be stopped.

The manner in which the impressment law of Congress has been executed in many portions of our State needs your serious attention. Gross wrong and, I had almost said, wanton injuries have been perpetrated by officers who have no common sense, and no regard for the properties of life or the rights of property. If our laws do not furnish ample remedy for such outrages, provide the remedy.

In discharging the duties of the office I am about to assume, I shall endeavor to see that the rights of our citizens are protected from violence at home as well as against the raids and ravages of our enemy. I shall expect, as I have a right to demand, the hearty co-operation of all in the support of every measure calculated to promote the prosperity and happiness of the people of Alabama, and the cause of Southern independence.

Let us never forget that the Almighty rules over the affairs of men, and that people and Governments are His handiwork! That His favor may be continued towards us as it has been in the past, let us constantly implore His mercy by submitting ourselves in all things to His will. Let us humble ourselves in His sight, and show by our acts that we deserve His protecting care!

REMARKS OF GOV. JNO. GILL SHORTER ON DELIVERING UP THE STATE
SEAL TO HIS SUCCESSOR.

Governor Watts:

By the Constitution of the State of Alabama, the Governor is made custodian of the great seal of the State. Upon my inductoin into Executive office, two years ago, I received this seal from my respected predecessor. By the blessing of God, I have been enabled to preserve it inviolate to the present hour; and now, with more than a cheerful obedience to the expressed will of the people, I have the honor to deliver it into your hands. I do so with an abiding confidence that it is committed to the custody of one who is worthy to receive it, and who will devote all the power and resources at his command, if need be, to preserve it untarnished and thus deliver it to his successor. It may not be inappropriate—as it is the prompting of my feelings on this occasion as well as my clear conviction of duty—to declare to you, in the presence of the General Assembly, that in my retirement from the arduous labors and severe responsibilités of the Executive office to the more calm and pleasing pursuits of private life, I shall not forget my obligations to the State and people of Alabama, nor to you our honored Chief Magistrate. I heartily approve and endorse the admirable inaugural address which you have just delivered; and I plodge you my cordial and earnest support in every effort you may make to promote the welfare of Alabama and to advance our glorious Confederate cause, upon the success of which depends everything we esteem dear on earth. And I pray God that He may “give you grace and strength for every hour of need.”

—
RESPONSE OF GOVERNOR WATTS.

Governor Shorter:

I return you my profound thanks for the kind expresions you have been pleased to use towards me, personally, and for the approval of the sentiments I have just uttered, and, also, for the generous support you have tendered to my administration. I can only hope in the administration of the affairs of State, to approximate the expectation of partial friends. The times are pregnant with historic events; and responsibilities of the office of Governor, at this time, are such as to make the loftiest intellect and the purest heart seek for aid and cordial sympathy.

The honest purpose you have shown to advance the interests of Alabama, the arduous labors you have performed, your untiring devotion to the public welfare, will hereafter be properly appreciated by the people, and their thanks cheerfully

rendered to you. In your retirement from public life, in the quiet precincts of home, I trust you may enjoy the happiness you deserve. I am sure you will not there forget the duties you owe to our noble State, and the great cause in which we are all engaged. My best wishes shall accompany you.

The seal of State which you so well preserved, I accept, and shall guard it with all the energies I possess. It is the emblem of the power of Alabama. Alabama is my mother; whilst I have an arm to raise in her defense and a voice to speak in her behalf, her power and glory shall be maintained, and her great seal, if the people will sustain me with the same hearty co-operation manifested in placing me here, under the blessing of God, shall be preserved, untarnished, for my successor.

The oath of office was administered to the Governor elect by Mr. Speaker.

The Governor and Senate then withdrew.

Mr. Jones offered the following resolution, which was adopted:

Resolved, That 3000 copies of the inaugural message of Gov. Watts be printed for the use of the House, and that the Secretary of State forward to each member of the House his *pro rata* share of said address for distribution.

House adjourned till 9 o'clock to-morrow morning.

WEDNESDAY, December 2, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bell, of the House.

Mr. Speaker laid before the House a communication from the commissioner of public lands, in response to a resolution of the House;

Which was read, and referred to the committee on public lands.

The House concurred in the Senate amendments to the House bills:

To increase the price of certain public lands;

To require railroad companies to keep lights on their trains, &c.;

The following Senate bills were read three times, forthwith, and passed:

To amend an act to re-organize the militia of the State of Alabama;

For the relief of Soldiers' families in Pike county;

For the relief of justices of the peace in Montgomery county.

To consolidate the offices of county treasurer and clerk of the circuit court of Baldwin county.

Senate bill to amend an act to amend the revenue laws of this State;

Was read twice, and laid on the table.

Senate bill to authorize the Montgomery mining and manufacturing company to construct a railroad, &c.;

Was read twice, and referred to the committee on corporations.

Senate bill to provide for paying for medicines furnished to the indigent families of soldiers, &c.;

Was read twice, and referred to the committee on ways and means.

Senate joint resolutions—

In respect to the enforcement of the conscript law of the Confederate States;

Appointing the 10th day of December as a day of fasting;

Were severally read and adopted.

Senate bills—

To incorporate a mining and manufacturing company;

To authorize the construction of a branch railroad therein named;

Were severally read twice, and referred to the committee on internal improvements.

Senate bills—

To expedite business in the courts of probate;

To amend the law in relation to proving claims against estates of deceased persons in certain cases;

Were severally read twice, and referred to the judiciary committee.

On motion of *Mr. Ogbourne*, the vote by which the House, on yesterday, refused to pass the bill for the relief of *S. B. Harmon*, tax collector of *Macon county*, was re-considered.

The question recurred on the passage of the bill, and the bill passed—yeas 69, nays 6.

Those who voted in the affirmative are, *Messrs. Speaker. Armstrong, G. W. Ashe, Ashurst, Atkinson, Barron, Bell, Be-thea, Bishop, Bradley, Brooks, Bryan, Chambers, Charlton, Chisholm, Clarke, Cobb, Cox, Cumming, M. L. Davis, Dawson, Dent, Donnell, Ellis, Fannin, Foster, Franklin, Gafford, Gard-ner, Gibson, Graves, Greathouse, Hames, Head, Holley, Jones, John Keenan, Lawler, Leeper, Lewis, May, Modawell, John Moore, John G. Moore, Moulton, McAlexander, McInnis, Mc-*

Clelland, Ogbourne, Orr, Parish, C. A. Parker, Parsons, Price, Reid, Robeson, Ryan, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Towles, Vanzandt, Vincent, West, White, and Williams—69.

Those who voted in the negative are, Messrs. Chapman, Coleman, Greene, Magee, Mitchell, and Nisbet—6.

Senate bill to limit the terms of the circuit court of Fayette county;

Was read twice, and, on motion of Mr. M. L. Davis, laid on the table.

Mr. Gibson, from the committee on public lands, reported favorably to the bill in relation to the State tract books;

Which was read a third time, and passed.

A message was received from the Governor informing the House of the resignation of Hon. R. W. Walker, associate justice of the supreme court, to take effect on the 1st day of February next.

Message from the Senate by Mr. Toal.

Mr. Speaker :

The Senate has resolved, the House concurring, that the two Houses on the 3d instant, Thursday next, meet in the hall of the House for the purpose of electing a judge of the supreme court, to fill the vacancy occasioned by the resignation of Hon. R. W. Walker.

House concurred in said resolution.

The hour of 11 o'clock having arrived, the House proceeded to consider the special order, it being the bill to authorize the distillation of grain for individual use in Walker county, the question being upon laying the adverse report of the committee on the judiciary on the table;

Which was carried—yeas 48, nays 33.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bethea, Bradley, Bryan, Charlton, Clarke, Cobb, M. L. Davis, Dawson, Dent, Donnell, Ellis, Evans, Franklin, Gardner, Gibson, Greathouse, Greene, Head, Holley, Hollis, Howard, Lewis, Ligon, Magee, Manasco, Mitchell, Morrow, Moulton, McClelland, Ogbourne, Orr, Parsons, Price, Seay, Sykes, Taylor, Towles, Vanzandt, Vincent, West, White, Williams, and Wolff—48.

Those who voted in the negative are, Messrs. Speaker, Atkinson, Benners, Bishop, Brooks, Brown, Chambers, Chapman, Chisholm, Cooper, Cox, Cumming, J. W. Davis, Foster, Gafford, Graves, Hames, Jones, John Keenan, Leeper, May, Modawell, John Moore, McAlexander, Nisbet, Parish, C. A. Parker, E. S. C. Parker, Reid, Robeson, Ryan, Scruggs, and Sibley—33.

The question was then upon adopting the report of the minority.

Mr. Bell moved to fill the blank with "500;"

Which was carried.

Mr. Nisbet moved to amend as follows: "Provided that the provisions of this act shall extend to every county in the State."

Mr. Modawell moved to lay the amendment on the table.

Mr. Chapman moved to lay the bill on the table;

Which was lost—yeas 31, nays 42.

Those who voted in the affirmative are, Messrs. Speaker, Atkinson, Benners, Bishop, Brooks, Brown, Chambers, Chapman, Chisholm, Coleman, Cox, Cumming, J. W. Davis, Foster, Gafford, Gardner, Graves, Jones, John Keenan, Leeper, May, Modawell, John Moore, McAlexander, McInnis, Parish, C. A. Parker, E. S. Parker, Reid, Robeson, and Scruggs—31.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Bethea, Bradley, Bryan, Clarke, Cobb, M. L. Davis, Dawson, Dent, Donnell, Ellis, Evans, Gibson, Greene, Head, Holley, Hollis, Lewis, Magee, Manasco, Mitchell, Morrow, Moulton, McClelland, Nisbet, Ogbourne, Orr, Parsons, Price, Ryan, Seay, Sims, Sykes, Taylor, Towles, Vanzandt, Vincent, West, White, and Wolff—42.

The question was then on laying the amendment on the table;

Which was lost—yeas 31, nays 44.

Those who voted in the affirmative are, Messrs. Armstrong, G. W. Ashe, Atkinson, Bethea, Bradley, Bryan, Charlton, Clarke, Cox, Donnell, Ellis, Evans, Gardner, Gibson, Jones, Lewis, Magee, Moulton, McInnis, McClelland, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Reid, Sims, Sykes, Towles, West, White, and Wolff—31.

Those who voted in the negative are, Messrs. Speaker, Ashurst, Barron, Bell, Benners, Bishop, Brooks, Brown, Chambers, Chapman, Chisholm, Cobb, Coleman, Cumming, J. W. Davis, M. L. Davis, Dawson, Dent, Foster, Gafford, Graves, Greene, Hames, Hollis, Howard, John Keenan, Lawler, Leeper, May, Mitchell, Modawell, John Moore, Morrow, McAlexander, Nisbet, Parish, Price, Robeson, Ryan, Scruggs, Seay, Taylor, Vanzandt, Vincent, and Williams—44.

Mr. Graves moved to postpone indefinitely the bill:

Which was lost—yeas 38, nays 43.

Those who voted in the affirmative are, Messrs. Speaker, Atkinson, Bell, Benners, Bishop, Brooks, Brown, Chambers, Chapman, Chisholm, Coleman, Cox, Cumming, J. W. Davis, Dawson, Foster, Gafford, Gardner, Graves, Hames, Howard,

Jones, John Keenan, Lawler, Leeper, May, Modawell, John Moore, McAlexander, McInnis, Orr, Parish, C. A. Parker, E. S. C. Parker, Reid, Robeson, Scruggs, and Sibley—38.

Those who voted in the negative are, *Messrs.* Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Bryan, Charlton, Clarke, Cobb, M. L. Davis, Dent, Donnell, Ellis, Evans, Fannin, Franklin, Gibson, Greene, Holley, Hollis, Lewis, Magee, Manasco, Mitchell, Moulton, McClelland, Nisbet, Ogbourne, Parsons, Price, Ryan, Seay, Sims, Sykes, Taylor, Towles, Vanzandt, Vincent, West, White, Williams, and Wolff—43.

The question then recurred on the adoption of Mr. Nisbet's amendment;

Which was adopted—yeas 46, nays 35.

Those who voted in the affirmative are, *Messrs.* Speaker, Ashurst, Atkinson, Benners, Bishop, Brooks, Brown, Chambers, Chapman, Chisholm, Cobb, Coleman, Cooper, Cumming, J. W. Davis, M. L. Davis, Foster, Franklin, Gafford, Gardner, Graves, Greene, Hames, Hollis, Howard, Jones, John Keenan, Lawler, Leeper, Ligon, Mitchell, Modawell, John Moore, McAlexander, McInnis, McLemore, Nisbet, Parish, Robeson, Ryan, Scruggs, Seay, Taylor, Vanzandt, Vincent, and Williams—46.

Those who voted in the negative are, *Messrs.* Armstrong, Barron, Bell, Bethea, Bradley, Bryan, Charlton, Clarke, Cox, Dawson, Dent, Donnell, Ellis, Evans, Gibson, Holley, Lewis, Magee, Manasco, May, Moulton, McClelland, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Sims, Sykes, Towles, West, White, and Wolff—35.

Mr. Bryan moved to lay the bill on the table;

Which was carried—yeas 46, nays 35.

Those who voted in the affirmative are, *Messrs.* Speaker, Atkinson, Barron, Bell, Benners, Bishop, Brooks, Bryan, Brown, Chambers, Chapman, Charlton, Chisholm, Coleman, Cox, Cumming, J. W. Davis, Dawson, Ellis, Foster, Gafford, Gardner, Gibson, Graves, Greene, Hames, Head, Howard, John Keenan, H. I. M. Kennon, Lawler, Leeper, May, Modawell, John Moore, McAlexander, McInnis, Orr, Parish, C. A. Parker, E. S. C. Parker, Reid, Robeson, Scruggs, Sims, and Towles—46.

Those who voted in the negative are, *Messrs.* Armstrong, Ashurst, Bethea, Bradley, Clarke, Cobb, M. L. Davis, Dent, Donnell, Evans, Franklin, Holley, Hollis, Lewis, Ligon, Magee, Manasco, Mitchell, Morrow, Moulton, McClelland, McLemore, Nisbet, Ogbourne, Parsons, Price, Ryan, Seay, Sykes, Taylor, Vanzandt, Vincent, West, White, and Williams—35.

Mr. Sykes moved to take up the resolution offered by Mr. Cooper, yesterday, proposing to hold two sessions each day, and to strike out "3 o'clock" and insert "half past 7 and 10;"

Which was lost.

Mr. Chambers moved to leave the hours of adjournment for morning and afternoon sessions blank.

A division of the question was called.

Question first was upon adjourning at 1, p. m.:

Which was carried.

The question then was upon adjourning at 5 o'clock, and the House decided upon leaving the hour of adjournment for afternoon sessions open.

The resolution, as amended, was adopted.

Mr. Chambers offered the following resolution, which was adopted unanimously:

Resolved, That the clerk of the House is authorized to employ a journal clerk, and such assistance as may be necessary to bring up and complete the business of the present General Assembly; and shall be paid at the same rate as the assistant clerk is paid.

Mr. Lawler introduced joint resolutions in relation to taxation and the Confederate currency;

Which were made special order for 11 o'clock, to-morrow.

Special order--Bill to amend the revenue laws was then considered.

Mr. Lawler moved to amend, as follows:

Section 3. Be it further enacted, That a tax of $7\frac{1}{2}$ per cent. shall be assessed and collected upon the nett profits which may be derived, during the year ending on the last day of February, 1864, from the purchase and sale of gold, silver, sterling exchange, bank notes, bonds of the Confederate States and of the State of Alabama, bonds of railroad companies, domestic bills of exchange, notes, and other evidences of debt.

Section 4. Be it further enacted, That there shall be assessed and collected a tax of 5 per cent. upon the profits derived, during the year which ended on the last day of February, 1863, upon all the sources of income enumerated in the preceding section, in all cases where there has been an omission to assess the same under an act entitled "an act to amend the revenue laws of this State," approved 9th December, 1862; and it shall be the duty of the tax assessors to require tax payers to make an affidavit, in writing, stating whether they have or have not paid the tax upon the profits derived from these sources during the year ending last of February, 1863; and in all cases where there has been an omission to assess and collect such tax, the omission shall be corrected as directed in this act.

Mr. Holley moved to lay the amendment on the table;

Which was lost.

House adjourned till 3, p. m.

AFTERNOON SESSION.

DECEMBER 2, 1863.

House met pursuant to adjournment.

Mr. Chapman moved to reconsider the vote by which the House referred the Senate bill to authorize the use of funds, appropriated for military and hospital purposes, &c., to the committee on ways and means;

Which motion was carried.

The bill was then read a third time, and passed.

Mr. Leeper, from the committee on local legislation, reported favorably to the bill to repeal a local law therein named in Jefferson county;

Which was read a third time, and passed.

The following bills were introduced, read twice, and referred to the judiciary committee :

By Mr. Parsons, to amend section 3301 of the code:

By Mr. Modawell, for the relief of Samuel A. Fitts:

By Mr. Morrow, to amend section 1751 of the code:

By Mr. Bell, to incorporate the Selma iron works.

The House proceeded to consider the bill to amend the revenue laws of this State, the question being upon the adoption of the amendment of Mr. Lawler.

Mr. Modawell moved to strike out the second section of the amendment;

Which was lost.

Mr. Price moved to amend the amendment as follows:

Be it further enacted, That the commissioners' court of each county in this State shall, as soon as possible after the passage and approval of this act, appoint appraisers and assessors whose duty it shall be to appraise or assess all the lands in their respective counties, and in their returns to specify the same by sections, or the sub-divisions of sections, and to attach the value thereof, and the names of the present owner or owners; that when, after a full appraisement or assessment of all the lands in their respective counties has been made by the appraisers or assessors, provided for in the preceding part of this section, it shall be the duty of the said appraisers or assessors to make full and complete returns to the commissioners' court, whose duty it shall be to record the same in a book, or books, to be kept for that special purpose, and to be called the land assessment book.

Section —. Be it further enacted, That the assessment provided for in the preceding section shall be and remain in force for three years, when a new assessment shall be made in the same manner as hereinbefore provided for.

Section —. Be it further enacted, That the tax assessors

throughout the State are required, in making their assessments on land, to be governed entirely by the appraisement made and recorded as in this act provided for.

Section —. Be it further enacted, That before entering upon the discharge of their duties, the appraisers or assessors, appointed under the provisions of this act, shall take an oath for the faithful and impartial discharge of their duties; and if they or either of them be guilty of partiality or fraud in the discharge of their duties, they or he shall, upon indictment and conviction before the proper circuit court, be fined not less than \$500, and imprisoned at the discretion of the jury trying the case.

Section —. Be it further enacted, That the commissioners' court may allow the appraisers or assessors such compensation as the said court may deem just and reasonable, to be paid by the collectors out of the funds collected from the State and county taxes.

Which amendment, on motion of Mr. Sykes, was laid on the table.

Mr. Leeper moved to amend as follows: "That section — shall not apply to bonds of the Confederate States or of this State, held by guardians as such;"

Which was lost.

Mr. Lawler's amendment was then adopted.

Mr. Chambers moved to amend as follows:

Be it further enacted, That the 11th paragraph of the 2d section of an act entitled "an act to amend the revenue laws of this State," approved 9th December, 1862, be and the same is hereby amended by adding the words "money on deposit in this State," between the words "State" and "money," where they occur in the 5th line of said paragraph; and it shall be the duty of the assessor to require all parties who return "money hoarded" under oath, to say whether the money so hoarded consists of bank bills or coin.

Section —. Be it further enacted, That all taxes on gold and silver or sterling exchange on hand, on deposit, or hoarded, shall, from and after the 1st March next, be collected in gold and silver; and all taxes on bank notes shall, in like manner, be collected in bank notes.

Section —. Be it further enacted, That the gold, silver, or bank notes, which may be collected for taxes under this act, shall be retained in the treasury until needed to pay interest on bonds of the State payable in London, and shall be used for no other purpose, unless hereafter authorized by law.

Pending the discussion of which,

House adjourned till 9 o'clock to-morrow morning.

DECEMBER 3, 1863.

House met pursuant to adjournment.

Prayer by the Rev. C. A. Parker, of the House.

House resumed the consideration of the bill to amend the revenue laws of this State, the question being upon the adoption of Mr. Chambers' amendment;

Which was adopted.

Mr. Chapman moved to amend as follows:

Be it further enacted, That it shall be the duty of the assessors, after having given notice, to assess the taxes in the different beats of each county on two different days in each beat, whenever parties fail to appear and give in their taxes, to assess said parties double the amount of taxes which were assessed to them for the preceding year; provided, that this section shall not apply to parties who are absent in the service of the State of Alabama or of the Confederate States;

Which amendment was lost.

Mr. Benners moved to amend as follows:

Section —. Be it further enacted, That the words "and all moneys on hand," in the 7th and 8th lines of the 12th paragraph of the 6th section of the 2d chapter of the revenue law, be stricken out;

Which was lost.

Mr. Sims moved to amend as follows:

Be it further enacted, That the tax on money on hand, on deposit or hoarded, shall, from and after the 1st day of March next, be one-half of one per cent.;

Which was adopted.

Mr. Clarke moved to amend as follows:

Provided, that this law shall be inoperative in those counties of the State, or to individuals, which have been or may be injured by the public enemy.

Mr. Price offered the following as a substitute for Mr. Clarke's amendment:

Provided, that the provisions of this act shall not apply to property taken, injured, or destroyed by the enemy, or which has or may escape to the enemy;

Which was adopted.

Mr. Fannin moved to amend, by adding "that this proviso shall not extend to individuals who sold cotton to the enemy for gold or treasury notes of the United States."

Mr. Cobb moved to amend, by adding "have voluntarily;"

Which was carried.

The amendment of Mr. Fannin, as amended, was then adopted.

Mr. Sims moved to amend as follows:

Provided, further, That no tax shall be levied or collected on any bonds of the State of Alabama, issued and sold before the passage of this act, which, under the law providing for their issue, were exempt from taxation;

Which was adopted

Mr. Sims gave notice that he would, hereafter, move to reconsider the vote by which the bill to authorize the distillation of grain for the use of families in Walker county, was laid on the table.

Mr. Holley moved to amend the bill to amend the revenue laws as follows:

And be it further enacted, That so much of the 7th section of an act entitled "an act to amend the revenue laws of this State," approved December 9, 1862, as levies a tax of 15 per cent. on change bills, be and the same is hereby repealed;

Which was lost.

Mr. Sykes moved to amend as follows: "except negro slaves, and they shall be taxed $37\frac{1}{2}$ per cent. on every hundred dollars of their value."

Mr. Fannin moved to amend as follows: "Provided that the valuation of negro slaves shall be uniform throughout the State."

Mr. Sykes moved to lay said amendment on the table.

Mr. Bethea moved to lay Mr. Sykes' amendment on the table.

The question was first on laying Mr. Fannin's amendment on the table;

Which was lost.

The question then was on laying the amendment of Mr. Sykes on the table;

Which was carried.

The bill was passed—yeas 58, nays 19.

Those who voted in the affirmative are, *Messrs.* Armstrong, Ashurst, Atkinson, Bell, Benners, Bethea, Bishop, Brooks, Bryan, Brown, Chambers, Chapman, Charlton, Chisholm, Coleman, Cox, Dawson, Dent, Donnell, Ellis, Evans, Fannin, Franklin, Gafford, Gardner, Gibson, Graves, Greathouse, Greene, Hames, Head, Howard, Jones, John Keenan, Lawler, Magee, May, Modawell, John Moore, John G. Moore, Moulton, McAlexander, McCain, McInnis, Nisbet, Ogbourne, Parish, C. A. Parker, E. S. C. Parker, Price, Reid, Robeson, Ryan, Scruggs, Sibley, Taylor, Towles, and Williams—58.

Those who voted in the negative are, *Messrs.* Speaker, Bradley, Clarke, Cumming, J. W. Davis, M. L. Davis, Foster, Holley, Hollis, Leeper, Ligon, Manasco, Mitchell, Morrow, Parsons, Vanzandt, Vincent, West, and White—19.

The hour of 12 o'clock having arrived, the Senate, by invitation, appeared within the hall of the House, when the two Houses in joint convention proceeded to the election of supreme court judge, to fill the term rendered vacant by the resignation of Judge R. W. Walker.

Messrs. Phelan of Montgomery, Byrd of Dallas, Brickell of Madison, and Rapier of Mobile, being in nomination:

Those who voted for Mr. Phelan are, Messrs. Cato, Coleman, Garrett, Harrison, Hill, McCall, Payne, Peacock, and Powell, of the Senate; Messrs. Atkinson, Benners, Bethea, Bishop, Brooks, Bryan, Chambers, Chapman, Charlton, Cobb, Coleman, Cox, Cumming, M. L. Davis, Ellis, Franklin, Gafford, Gardner, Gibson, Graves, Greene, Holley, Hollis, Howard, Jones, Leeper, Lewis, Ligon, Manasco, May, Mitchell, Modawell, J. G. Moore, Morrow, McAlexander, McClelland, Ogbourne, Orr, Parish, C. A. Parker, Price, Reid, Ryan, Seay, Sims, Sykes, Towles, and Williams, of the House—57.

Those who voted for Mr. Brickell are, Messrs. Beeson, Groce, Hammond, S. F. Rice, and Wood; of the Senate; Messrs. Bradley, Brown, Chisholm, Clarke, Donnell, Hames, Robeson, Scruggs, and Sibley, of the House—14.

Those who voted for Mr. Byrd are, Messrs. President, Barnes, Clarke, Ervin, Jackson, Ligon, Lewis, Moren, and Reavis, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Dawson, Dent, Fannin, Greathouse, Head, John Keenan, Lawler, John Moore, McCain, McInnis, McLemore, Nisbet, E. S. C. Parker, Parsons, Vanzandt, Vincent, West, and White, of the House—33.

Those who voted for Mr. Rapier are, Messrs. Brodnax and Toulmin, of the Senate; Messrs. Evans, Foster, Magee, Moulton, and Taylor, of the House—7.

Mr. Phelan having received a majority of the whole number of votes cast, was declared by Mr. Speaker to have been duly and constitutionally elected supreme court judge, to take effect from the 1st day of February, 1864, in accordance with the constitution.

The Senate then withdrew to its chamber.

Mr. Benners, from the military committee, reported a bill to provide for the military defense of the State of Alabama; Which was read twice.

Mr. Benners moved to amend as follows:

Section 3. All coupons of bonds issued under the provisions of this act, shall be received in payment of all taxes and public dues of every description, and for all corporate and county taxes levied or assessed after the passage of this act.

Section 4. That if any person or persons shall forge, or

falsely alter any bond or coupon issued by virtue of this act, or shall utter or attempt to pass any forged or altered bond or coupon purporting to be issued in pursuance of this act, knowing such bond or coupon to have been forged or altered, such person or persons shall be guilty of forgery in the first degree, and shall suffer the pains and penalties now affixed by law for forgery in the first degree.

Section 5. That the Governor is authorized to pay the person or persons employed by him to sign and number coupons, and date and fill up the same, such compensation as he shall deem just, either by the day or by the one thousand numbers and signatures.

Which amendment was adopted.

Mr. Lawler moved to amend, as follows, at the end of section two, by adding, "in such funds as may be current at the time of their maturity:"

Which was adopted.

Mr. Bradley moved to amend by striking out "State bonds," and inserting "treasury notes, payable twelve months after a ratification of peace between the Confederate States and the United States;"

Which was lost.

Message from the Governor by Mr. Taylor:

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives, entitled:

An act to provide for the appointment of overseers of roads in certain cases, and amendatory of section 1142 of the code of Alabama;

An act to prevent gaming in this State;

An act to authorize the court of county commissioners of Walker county to levy a tax for county purposes;

An act to regulate the election of commissioners of roads and revenue in the county of Marion;

An act where real estate of soldiers is sold for taxes to extend the time for the redemption of the same;

An act for the relief of James M. Calhoun;

An act to enable the treasurer of the county of Calhoun to pay surplus funds in his hands to purposes therein named;

An act to divide the county of Tuscaloosa into four commissioners' districts;

An act amendatory of "an act to incorporate the city of Montgomery," approved December 23, 1837;

An act to provide for insane convicts sent from the penitentiary to the Alabama insane hospital;

An act for the relief of John Mosely, tax collector of Dallas county.

Message from the Senate by Mr. Toal.

Mr. Speaker :

The Senate has passed House bills:

To grant further powers to the corporate authorities of the city of Mobile;

To increase the fees of witnesses in this State;

To confer jurisdiction upon the probate court of Butler county over the estate of Geo. M. Lewis, deceased;

For the relief of James P. Boggan, jr., tax collector of Butler county;

To repeal an act to compensate jurors and witnesses in Monroe county, approved January 5, 1848;

To amend an act to incorporate the Girard railroad company, approved January 21, 1846;

For the relief of R. Z. Barlow, tax collector and tax assessor of the county of Baldwin;

To enable married women the more effectually to recover property secured to them by the code;

To pay for the hire of servants for the present session of the General Assembly;

For the relief of the estate of Ovid Mazange.

Joint resolutions in testimony of the wisdom and patriotism of John Gill Shorter, Governor of the State of Alabama.

The Senate has amended, as therein shown, and passed the House bills:

To contribute to the support of the indigent families of soldiers in the military service from the State of Alabama;

To authorize Richard T. Starr to marry;

To amend the law in regard to advertising absconding slaves.

The Senate has rejected House bills:

To change the name of Louisa Cecelia Talbot;

To regulate solicitors' fees;

To repeal an act to prevent extortion, approved December 9, 1862, and other acts therein named.

The Senate has originated and passed:

Joint resolutions for the relief of tax collectors of this State;

Also bills

To regulate the fees of solicitors in certain cases;

To amend an act to regulate interest upon debts in payment of which Confederate treasury notes may be tendered and refused, approved November 17, 1862;

To consolidate certain land districts therein named.

At 1 o'clock, the House stood adjourned till 3, p. m.

AFTERNOON SESSION.

DECEMBER 3, 1863.

House met at 3 o'clock, p. m.

Mr. Modawell introduced a bill for the distribution of the educational fund;

Which was read three times, forthwith, and passed.

Senate bill to establish a criminal court for the county of Montgomery, was taken from the Senate messages, read twice, and referred to the judiciary committee.

REPORTS FROM COMMITTEES.

Mr. Benners, from the military committee, reported adversely to the following bills:

For the relief of the citizens of Rockford and vicinity, &c.;

For the relief of Jno. B. Reynolds of Fayette county;

To amend an act to re-organize the militia of the State of Alabama, &c.;

Which reports were concurred in.

Mr. Benners, from the same committee, reported favorably to the bill to make certain persons liable to military duty, &c.

Mr. Parker moved to strike out "justices of the peace;"

Which was lost.

The bill was then read a third time, and passed.

Also, favorably to the bill to extend certain provisions of an act to re-organize the militia, &c.;

Mr. Lewis moved to lay the bill on the table;

Which was lost.

The bill was then ordered to a third reading.

Mr. Chambers, from a select committee, reported a bill to authorize the county commissioners to levy a tax in kind for the support of the indigent families of soldiers, &c.;

Which was read twice, and, on motion of Mr. Manasco, in definitely postponed.

The following bills were reported adversely to by the judiciary committee:

By Mr. Parsons—To amend section 672 of the code;

To allow plaintiffs in suits at law in this State to prove their claims by their own oath to the amount of five hundred dollars.

By Mr. Taylor—To amend sections 1869 and 1871 of the code;

(Senate bill) to repeal an act therein named and approved 5th February, 1861.

By Mr. Clarke—(Senate bill) defining the duties of debtors and creditors in certain cases;

To repeal sections 3222, 3223, 3224 of the code;

To repeal sections 3487 and 3488 of the code;

To repeal an act the more effectually to provide for the redemption of real estate.

By Mr. Dawson, to reduce the expenses of publication in suits in courts;

By Mr. McAlexander, to amend section 1803 of the code as to Shelby county;

All of which reports were concurred in.

Mr. Greathouse, from the select committee, reported favorably to the bill to exempt T. O. Partridge, a blacksmith, from military duty, &c.

Mr. Cumming moved to lay the bill on the table;

Which was lost.

Mr. Cumming moved to amend as follows: "and that one other blacksmith, besides the one now exempted by law, shall be exempted in every beat in this State."

Mr. Head moved to lay said amendment on the table;

Which was lost.

And the amendment was adopted.

Mr. Magee moved to postpone indefinitely:

Which was lost.

Mr. Dawson moved to lay the bill on the table:

Which was lost—yeas 31, nays 35.

Those who voted in the affirmative are, Messrs. Speaker, Benners, Brooks, Bryan, Brown, Chambers, Chisholm, Coleman, Cumming, J. W. Davis, Dawson, Evans, Foster, Gafford, Gardner, Graves, Hanes, Holley, Jones, Magee, Manasco, May, Mitchell, John Moore, Moulton, McAlexander, Nisbet, Parish, C. A. Parker, Taylor, and Towles—31.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bishop, Bradley, Chapman, Clarkè, Cobb, Cox, M. L. Davis, Dent, Franklin, Gibson, Greathouse, Head, Hollis, Lewis, Ligon, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Reid, Ryan, Seay, Sykes, Vanzandt, Vincent, West, and White—35.

Mr. M. L. Davis moved to amend by adding, "and all tanners habitually engaged in working at their trades, whilst so engaged;"

Which was adopted.

Mr. Franklin moved to amend, by adding "hatters."

Mr. Holley moved to amend said amendment, by adding "distillers."

The question was first taken on Mr. Holley's amendment;

Which was lost.

And then on the amendment of Mr. Franklin;

Which was also lost.

Mr. Foster moved to amend, by adding "all physicians and druggists who are engaged in their avocations;"

Which was lost.

The bill was then ordered to a third reading.

The following bills were reported favorably to by the judiciary committee:

By *Mr. Parsons*—For the relief of A. S. Toler, administrator, and Susan J. Poole, administratrix, &c.

By *Mr. Dawson*—To secure the administration of justice on slaves under indictment.

By *Mr. McAlexander*—(Senate bill) to ratify and confirm the agreement of the Governor in the manufacture of cotton and wool cards.

Also, to increase the fees now allowed by law for apprehending and committing to jail runaway slaves.

By *Mr. Benners*—To better regulate the fees of the probate courts of Greene, Marengo, and Choctaw counties.

Also, for the relief of Thomas Kelly.

(Senate bills) for the relief of W. M. Seldon, trustee;

To amend section 3600 of the code.

All of which bills were severally read a third time, and passed.

Mr. McAlexander, from the same committee, reported favorably, with an amendment, to the bill to define the duties of common carriers;

Which amendment was adopted.

Mr. Moulton moved to amend, by adding, "express companies of this State," after the word "railroads;"

Which was adopted, the bill read a third time, and passed.

Mr. Chapman reported favorably to the bill to fix the fees of solicitors in certain cases.

Mr. Cumming reported favorably to the bill for the relief of Wm. S. Knox of Dallas county.

Which bills were read a third time, and passed.

House then adjourned.

DECEMBER 4, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Vanzandt, of the House.

The bill to provide for the military defense of the State was considered.

Mr. Lawler moved to amend as follows: "except the tax on gold, silver, sterling exchange, and bank notes;"

Which was adopted, the bill read a third time, and passed.

REPORTS FROM STANDING COMMITTEES :

Mr. Chapman, from the judiciary committee, reported adversely to the bill (Senate) to allow probate judges to make publication in certain cases.

Mr. Lawler, from the committee on ways and means, reported adversely to the Senate bill to amend an act to amend the revenue laws;

And adversely to the House bills:

To increase the salaries of the officers of the penitentiary;

To amend the revenue laws of this State.

Mr. Cumming, from the judiciary committee, reported adversely to the bill to restrict section 3600 of the code.

Mr. Magee, from the committee on ways and means, reported adversely to the bill to allow Moody Balis, of Fayette county, to distil spirituous liquors, &c.

Which several adverse reports were concurred in.

Mr. Bradley, reported adversely to the resolution proposing to raise \$200,000,000 with a view of relieving the currency;

Which report, on motion of Mr. Lawler, was laid on the table.

Mr. Lawler, from the committee on ways and means, reported adversely to the bill for the relief of Thomas W. Hine;

Which report, on motion of Mr. Donnell, was laid on the table.

Mr. Cooper moved to amend, by striking out "Comptroller" and inserting "Governor;"

Which was adopted.

The bill was then read a third time, and passed—yeas 67, nays 3.

Mr. Chambers, from the committee on Confederate relations, to whom was referred the joint resolutions in reference to the soldiers' pay, as amended by the Senate, reported a substitute;

Which was adopted.

Mr. Benners, from the military committee, reported favorably to the Senate bill to consolidate the unexpended fund of the military appropriation.

Mr. Lawler, from the committee on ways and means, reported favorably to the Senate bills:

To relieve tax payers in certain cases;

Appropriating a sum of money to pay for the preparation of the treasury note change bills.

Which bills were severally read a third time, and passed.

Mr. Cooper, from the committee on internal improvements, reported favorably to the Senate bill to incorporate a mining and manufacturing company, with an amendment;

Which was adopted.

Mr. Cooper moved to strike out the 6th section of the bill; Which was carried, and the bill was read a third time, and passed.

Mr. Chambers gave notice that he would move to reconsider the vote by which the House concurred in the adverse report to the Senate bill in relation to debtors and creditors.

Mr. Cumming, from the judiciary committee, reported favorably to the bills:

To prevent the introduction into this State of free negroes and slaves guilty of criminal offences;

To amend section 3536 of the code.

Which bills were ordered to a third reading.

Mr. Bethea, from the committee on ways and means, reported a substitute for the bill for the benefit of the military aid society of Mobile, and for other societies, &c.

Mr. Dawson moved to amend as follows: "and the sum of ten thousand dollars is also appropriated to be equally divided between the ladies' military aid society of Selma and the way-side hospital, under the same regulations as hereinbefore provided;"

Which was adopted.

The substitute was adopted, the bill read a third time, and passed—yeas 79, nays 1.

Mr. Cooper, from the committee on internal improvements, reported favorably, with an amendment, to the Senate bill to authorize the construction of a branch railroad therein named.

Mr. Bradley moved the following, as a substitute: "Provided that said branch road shall leave the main trunk of the Alabama and Tennessee river railroad, and said branch shall not be allowed to extend beyond the town of Elyton in the county of Jefferson."

Pending which, the hour of 1 o'clock arrived and the House adjourned till 3, p. m.

AFTERNOON SESSION.

DECEMBER 4, 1863.

House met pursuant to adjournment.

Mr. Chambers moved to take up the House bill to authorize the issue and sale of State bonds;

Which was carried.

The bill was then considered, and the House refused to concur in the amendment of the Senate—yeas 5, nays 68.

Those who voted in the affirmative are, *Messrs. Speaker,*

Armstrong, G. W. Ashe, Atkinson, Barron, Bell, Benners, Bethea, Bishop, Brooks, Bryan, Chambers, Chapman, Charlton, Chisholm, Clarke, Coleman, Cooper, Cox, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Fannin, Franklin, Gafford, Gardner, Gibson, Graves, Greathouse, Greene, Head, Holley, Hollis, Howard, John Keenan, Lawler, Leeper, Ligon, Magee, Manasco, May, Modawell, John Moore, Moulton, McAlexander, McCain, McClelland, Nisbet, Ogbourne, Orr, Parish, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Ryan, Scruggs, Seay, Sims, Sykes, Taylor, Towles, Vanzandt, Vincent, West, and Williams—68.

Those who voted in the negative are, *Messrs.* Ashurst, Bradley, Cumming, Foster, and John G. Moore—5.

The Senate bill to authorize the construction of a branch railroad therein named, was then considered.

The question was on the motion of Mr. Bethea to postpone till 10 o'clock, to-morrow;

Which was carried—yeas 40, nays 38.

Those who voted in the affirmative are, *Messrs.* Speaker, G. W. Ashe, Ashurst, Benners, Bethea, Bryan, Brown, Chambers, Chapman, Charlton, Chisholm, Clarke, J. W. Davis, Dent, Donnell, Ellis, Fannin, Franklin, Gafford, Gardner, Gibson, Graves, Greathouse, Hames, Head, Howard, Manasco, May, Morrow, McAlexander, McClelland, McLemore, Nisbet, Ogbourne, Parish, Scruggs, Sykes, Towles, Vanzandt, and Williams—40.

Those who voted in the negative are, *Messrs.* Armstrong, Atkinson, Barron, Bell, Bishop, Bradley, Brooks, Coleman, Cooper, Cox, Cumming, M. L. Davis, Dawson, Foster, Greene, John Keenan, Lawler, Leeper, Lewis, Ligon, Magee, Mitchell, Modawell, John Moore, John G. Moore, Moulton, McCain, Orr, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Ryan, Seay, Sims, Taylor, and Vincent—38.

Mr. Chambers offered joint resolutions in relation to the services of General Joseph E. Johnston;

Which were adopted.

Mr. Bethea moved that a committee of three be appointed by the House to wait upon General Braxton Bragg and invite him to a seat upon the floor of the House.

Mr. Cumming moved to lay the motion on the table;

Which was lost;

And Mr. Bethea's motion was carried.

Messrs. Bethea, Price, and Gibson were appointed said committee.

Senate bill to amend an act declaring who shall be exempt from militia duty in this State, approved August 29, 1863;

Was read twice.

Mr. Sykes moved to amend, by adding the word "tanners" after the words "wagon makers," in the bill.

Mr. Hollis moved to amend said amendment as follows: "Provided they have been engaged in that business for three years next preceding the commencement of the war, and will not sell leather for more than 100 per cent. on cost of raw material."

Mr. Parker moved to lay the amendment on the table;
Which was carried.

Mr. Cumming moved to amend, by striking out all that relates to the county surveyor:

Which was adopted.

The bill was then read a third time, and passed.

Mr. Seay introduced joint memorial for the relief of the 26th Alabama regiment;

Which was read and adopted.

Mr. Parsons, from the judiciary committee, reported an amendment to the bill to establish a criminal court for the county of Montgomery;

Which was adopted, the bill read a third time, and lost.

House then adjourned till 9 o'clock to-morrow morning.

SATURDAY, DECEMBER 5, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Bell, of the House.

Senate bill for the relief of Dickson, Nelson & co., and L. G. Sturdivant;

Was read three times, forthwith, and passed.

On motion of Mr. Lawler, the House reconsidered the vote by which the bill to establish a criminal court for the county of Montgomery was lost.

And said bill was read a third time, and passed—yeas 41, nays 20.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Ashurst, Atkinson, Bishop, Bradley, Brooks, Brown, Chapman, Charlton, Chisholm, Cooper, Cox, Cumming, J. W. Davis, Dawson, Dent, Foster, Franklin, Gardner, Hames, Head, Leeper, Lewis, Magee, Manasco, Mitchell, Morrow, Moulton, McAlexander, McCain, Nisbet, Ogbourne, Parish, Robeson, Ryan, Scruggs, Sibley, Vanzandt, Vincent, and Williams—41.

Those who voted in the negative are, Messrs. G. W. Ashe, Barron, Bell, Benners, Bethea, Coleman, Ellis, Fannin, Gafford, Graves, Hollis, Jones, John Keenan, Ligon, May, Modawell, Orr, C. A. Parker, Reid, and Seay—20.

The special order then came up, it being the bill for the relief of persons rendered 'destitute by the seizure or waste of their means of subsistence by the public enemy.

Which bill was read a third time, and passed—yeas 71, nays 00.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Atkinson, Bell, Bethea, Bishop, Bradley, Brooks, Brown, Chapman, Charlton, Chisholm, Clarke, Cooper, Cox, Cumming, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Ellis, Fannin, Foster, Franklin, Gafford, Gardner, Gibson, Graves, Greene, Hames, Head, Hollis, Howard, Jones, John Keenan, Lawler, Leeper, Ligon, Manasco, May, Modawell, John Moore, Morrow, Moulton, McAlexander, McCain, McClelland, McLemore, Nisbet, Oghourne, Orr, Parish, C. A. Parker, E. S. C. Parker, Price, Reid, Robeson, Ryan, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Towles, Vanzandt, Vincent, and Williams—71.

CALL OF THE COUNTIES.

Bills were introduced—

By Mr. Hames, for the relief of the tax collector of Calhoun county.

By Mr. Benners, more fully to explain and carry into effect joint resolutions in relation to the Alabama volunteers, passed by the General Assembly of the State of Alabama, and approved November 6, 1862.

By Mr. Fannin, for the relief of Mrs. Jane Kirk of Macon county.

By Mr. M. L. Davis, to authorize M. L. Davis and D. W. Hollis to draw a certain fund for the relief of the indigent families of soldiers in Marion county, and for other purposes.

By Mr. Magee, to authorize the commissioners' court of Mobile county to increase the salary of the judge of the city court of Mobile.

By Mr. Cumming, to give the Governor power in certain cases.

By Mr. Chapman, to pay the expenses of inauguration of his Excellency T. H. Watts.

Also, to repeal an act to amend the charter of the town of Marion.

Which bills were severally read three times, forthwith, and passed.

By Mr. Fannin, to regulate the rates of transportation by common carriers of certain articles therein named.

By Mr. Lewis, to increase the pay of the judge of probate, sheriff, and clerk of the circuit court of Tuscaloosa county.

Which bills were read twice, and referred to the judiciary committee.

By Mr. Vanzandt, to amend an act to re-organize the militia, &c.

Which was read twice, and referred to the military committee.

By Mr. Dawson, to incorporate the Cahaba coal mining company.

Which was read twice, and referred to the committee on corporations.

By Mr. Cumming, to abolish the office of commissioner and trustee.

Which was read twice, and referred to the committee to examine the books, accounts, and papers of the commissioner and trustee.

By Mr. Modawell, to amend the law in relation to public roads.

Which was read three times, forthwith, and laid on the table.

Mr. M. L. Davis presented the petition of Andrew Johnson, and others, of Marion county.

Which was referred to the committee on propositions and grievances.

Mr. Cumming presented the petition of sundry citizens of Monroe county.

Which was referred to the judiciary committee.

Mr. Graves moved to suspend the business in order to take up the salt bill;

Which motion was lost.

REPORTS FROM COMMITTEES.

Mr. Parsons, from the judiciary committee, reported favorably to the bill to amend section 3301 of the code:

Which bill was read a third time, and passed.

Mr. Dawson, from the same committee, reported favorably to the bill for the relief of S. A. Fitts, administrator, &c.;

Which was read a third time, and passed.

Also, favorably to the bill to incorporate the Selma iron works;

Which bill was read a third time, and passed.

Mr. Chambers, from the committee on education, reported favorably, with an amendment, to the bill to amend an act to render more efficient the system of free public schools in the State of Alabama, so far as relates to the county of Sumter;

Which amendment was adopted, the bill read a third time, and passed.

Mr. Foster, from the committee on the University, reported that no legislation was necessary in relation to the University,

and requested that the accompanying report of the Board of Trustees be spread upon the journal of the House.

To his Excellency the Governor, the Senate, and House of Representatives of the State of Alabama:

1. The Trustees of the University of the State of Alabama respectfully represent, That, the Trustees of the University met, as usual, at their annual session. The Trustees have the satisfaction of informing your honorable bodies that they found the University in a prosperous condition. The number of Cadets in attendance was greater than at any previous meeting of the Board, and although in the midst of so much excitement and preparation for the conflict of arms, it is gratifying to witness the degree of attention and interest manifested by the Cadets in their studies, as well as the order and discipline which uniformity obtains.

2. The Trustees instituted, as is always their custom, a critical examination of the finances of the University, and found them to be in a very sound and satisfactory condition.

3. With profound regret it becomes our painful duty to announce the death of Prof. Benagh, who, at the time of his death, filled the Chair of Mathematics. The vacancy has been filled by the appointment of Prof. John M. Richardson, of the State of Georgia.

4. It is also their painful duty to announce the death of Prof. Beggs, who, at the time of his death was filling the Chemical Chair temporarily, Dr. Mallet being still absent in the service of the Confederate States, as Superintendent of Laboratories. No suitable person has yet been obtained to fill this Chair.

5. **CORPS OF CADETS**—In consequence of the great and continually increasing number of applicants, it has been determined to increase the number of Cadets to 300, and as this number was beyond the capacity of the permanent building, provision has been made for the excess, by the erection of cheap but comfortable shanties. This does not entail any additional expense upon the University, as the tuition fees will pay the expense of their erection. The Trustees in this, were influenced by a desire not only to extend the sphere of usefulness of the University, but also to add permanently to its strength, in confident belief that the State would increase the permanent buildings of the University so as to make this great Institution commensurate with the wants of the community. If the necessary accommodation could be furnished, the number could now be raised to 400. In the admission of Cadets, all applicants over 18 years of age have been excluded, unless exempt from Confederate service.

6. **MILITARY ORGANIZATION.**—The corps has been divided into three companies :

One artillery company, with three peices of artillery.

One company of light infantry, and

One rifle company.

The Governor has ordered harness for the artillery, and 100 rifles for the rifle company, neither of which have yet been received. The corps is in process of thorough training and equipment for the field, if ordered to any part of the State. Horses have been obtained for the artillery at no other expense than that of keeping them. We cannot conclude this part of our report, without expressing our admiration of the precision and drill which the Cadets have attained.

7. **EXPENSES OF CADETS.**—Notwithstanding the enormous increase in the price of all the necessaries of life, food, and clothing, etc., it is estimated that the cost to each Cadet will not exceed \$800, per session of ten months, including board, clothing, tuition, washing, medical fee, etc. Neither the fees for tuition, nor the officers' salaries, have been raised.

All of which is respectfully submitted.

J. J. **ORMOND**, *Chairman.*

Mr. Sykes, from the committee on Education, reported favorably on the bill for the relief of W. Glover of Calhoun county;

Which bill was read a third time, and passed.

Mr. Gibson, from the committee on public lands, reported adversely to the Senate bill to amend the law in relation to the public lands;

Which report was concurred in.

Also, reported that the annual report of the commissioner of public lands was found to be correct and satisfactory, and that the same be spread on the journal of the House.

STATE LAND OFFICE,
MONTGOMERY, ALA. Nov. 10th, 1863. }

Hon. W. H. Crenshaw,

Speaker of the House of Representatives.

Sir : As required by the 19th section of "an act to amend the revenue laws," approved December 9th, 1862, I prepared and reported to the comptroller of public accounts a statement showing, by counties, the number of acres of sold land, the number of acres of vacant land, and the number of acres of land belonging to or reserved for railroads in this State, the aggregate of which is, of sold land, 23,324,004 57-100 ; of vacant land, 6,182,172 74-100, and of lands belonging to railroads,

2,876,050 34-100 acres, making the entire area of the State 32,382,226 65-100 acres.

The sales of land at the second district land offices of the State from the 1st November, 1862, to the 1st November, 1863, appear in the following table :

	Land warrants located.	\$10	\$3.	\$1 50.	\$2 50.	\$1 25.	Graduation.	Total cash.
Centre,					1961 28		280 13	5093 26
Demopolis,				200 24				300 36
Elba,			39 39½		117 97½	955 15½		1606 98
Greenville,							526 15½	131 52
Huntsville,	237 10	613 00			2080 50¼	355 92	853 84	11920 29½
Montgomery,		39 91½	480 82½	39 89	12075 42	119 79¼	851 75½	32368 97
St. Stephens,								
Tuscaloosa,	237 10	652 91½	520 22	240 13	16235 18¼	1430 86¼	2512 88½	51421 38½

The returns from the land office at Tuscaloosa, for October, have not yet been received. During that month, under the authority conferred by the third section of "an act to increase the price of certain lands belonging to the State of Alabama," approved December 8, 1862, the governor and commissioner of public lands, upon satisfactory evidence, granted to parties who applied to purchase, permission to enter 680 acres at ten dollars per acre, and 2627 acres at three dollars per acre, the purchase money for which sales, if perfected in that month, will increase the amount of cash, for sales of public lands for the year \$14,681, which would make the entire proceeds of sales for that period \$66,102 38-100.

There were no sales at the Demopolis land office for the reason that when the term of office of the officers there expired, there being little or no business in that office, no appointments were made. I would suggest that in view of the small quantity of land now vacant in that district, it be attached to some other district, and for the same reason, that the Cahaba and Tallapoosa districts be consolidated.

All of which is respectfully submitted.

J. T. BRADFORD,
Commissioner of Public Lands.

Mr. Leeper, from the same committee, reported favorably to the joint resolutions directing the commissioner of public lands to withhold patents in certain cases;

Which joint resolutions were read a third time, and passed.

Mr. Taylor, from the committee on corporations, reported favorably, with amendments, to the bill to incorporate the fast freight and forwarding company;

Which amendments were adopted, and the bill was read a third time, and passed.

Mr. Reid, from the committee on salt supply, reported adversely to the bill to levy a tax on salt producers, &c.;

Which report was concurred in.

Mr. Parker, from the committee on propositions and grievances, reported favorably to the bill for the relief of Algernon A. Henderson, a minor;

Which was read a third time, and passed.

Also, reported adversely to the bill for the relief of Benjamin Frashure;

Which report was concurred in.

Mr. Brown, from the same committee, reported adversely to the bill for the relief of George W. Coleman and Buckner Williams;

Mr. Chambers moved to lay the report on the table;

Which was lost.

The report was then concurred in.

Message from the Governor by Mr. Taylor.

Mr. Speaker :

The Governor has approved the following acts, which originated in the House of Representatives:

An act to amend an act entitled an act to re-organize the militia of the State of Alabama, approved August 29, 1863;

An act to enable married women the more effectually to recover the property secured to them by the code;

An act to pay for the hire of servants for the present session of the General Assembly;

An act to repeal a local law therein named in Jefferson county;

An act to increase the fees of witnesses in this State;

An act to repeal an act to compensate jurors and witnesses in Monroe county, approved January 5, 1848;

An act to confer jurisdiction upon the probate court of Butler county over the estate of George N. Lewis, deceased;

An act for the relief of James P. Boggan, jr., tax collector of Butler county;

An act to repeal and amend an act entitled an act to increase the price of certain public lands;

An act to grant further powers to the corporate authorities of the city of Mobile;

An act to amend an act to incorporate the Girard railroad company, approved the 21st January, 1846;

An act for the relief of Robert Z. Barlow, the tax collector and tax assessor of the county of Baldwin;

An act to incorporate the factors' and grocers' fire and marine insurance company of Mobile.

Also, joint resolutions in testimony of the wisdom and patriotism of John Gill Shorter, Governor of the State of Alabama.

The bill to authorize the Governor to suspend licenses, was taken up.

Mr. Cooper offered a substitute;

Which, on motion of Mr. Sims, was laid on the table—yeas 41, nays 28.

Those who voted in the affirmative are, Messrs. Speaker, Ashurst, Bradley, Brooks, Bryan, Charlton, Chisholm, Clarke, Cumming, J. W. Davis, Dent, Donnell, Ellis, Gafford, Head, Howard, Lewis, Ligon, Manasco, May, Morrow, Moulton, McCain, McClelland, McLemore, Ogbourne, Orr, Parish, C. A. Parker, E. S. C. Parker, Ryan, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Towles, Vanzandt, Vincent, and Williams—41.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Atkinson, Benners, Bethea, Chambers, Chapman, Coleman, Cooper, Cox, M. L. Davis, Fannin, Foster, Gibson, Greathouse, Greene, Hames, Jones, Lawler, Leeper, Magee, Mitchell, Modawell, John Moore, John G. Moore, McAlexander, Nisbet, and Price—28.

The question was then taken upon the original bill, which resulted in ordering it to a third reading—yeas 44, nays 25.

Those who voted in the affirmative are, Messrs. Speaker, Ashurst, Atkinson, Bell, Bethea, Bishop, Brooks, Brown, Chapman, Chisholm, Coleman, Cooper, Cox, Dent, Fannin, Gafford, Gardner, Graves, Greathouse, Greene, Hames, Lawler, Leeper, Ligon, Magee, May, Modawell, Moulton, McAlexander, McCain, Nisbet, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Ryan, Scruggs, Sims, Towles, and Vanzandt—44.

Those who voted in the negative are, Messrs. Bradley, Clarke, Cumming, M. L. Davis, Donnell, Ellis, Foster, Franklin, Gibson, Head, Holley, Hollis, Lewis, Manasco, Mitchell, Morrow, McClelland, Parish, Seay, Sibley, Sykes, Vincent, West, Williams, and Wolff—25.

Which said vote was reconsidered.

Mr. Holley moved to indefinitely postpone the bill;

Which motion was lost—yeas 27, nays 48.

Those who voted in the affirmative are, Messrs. Armstrong, Barron, Bradley, Bryan, Clarke, J. W. Davis, M. L. Davis, Ellis, Franklin, Head, Holley, Hollis, Lewis, Ligon, Manasco, Morrow, McClelland, Orr, Parish, Seay, Sibley, Sykes, Vanzandt, West, Williams, and Wolff—27.

Those who voted in the negative are, Messrs. Speaker, Ashurst, Atkinson, Bell, Benners, Bethea, Bishop, Brooks, Brown, Chambers, Chapman, Chisholm, Coleman, Cooper, Cox, Cumming, Dawson, Dent, Fannin, Foster, Gafford, Gardner,

Graves, Greathouse, Hames, Howard, John Keenan, Lawler, Leeper, Magee, May, Modawell, John Moore, Moulton, McAlexander, McCain, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Price, Reid, Ryan, Scruggs, Sims, Taylor, Towles, and Vincent—48.

Mr. Cooper moved to suspend the granting of licenses.

Mr. Price moved the previous question.

Mr. Cooper moved to lay that motion on the table;

Which was lost.

The bill was ordered to a third reading.

Special order—the bill to provide for leasing certain State salt works, &c., was taken up, and laid on the table.

Joint resolutions in relation to the currency and taxation, came up as a special order.

Mr. Hollis moved to lay them on the table;

Which was lost.

And they were adopted.

On motion of Mr. Bradley, the Senate bill to authorize the construction of a branch railroad, was taken up.

The question was on Mr. Bradley's substitute, and pending its consideration,

House adjourned till 3, p. m.

AFTERNOON SESSION.

DECEMBER 5, 1863.

House met pursuant to adjournment.

Consideration of the Senate bill to authorize the construction of a branch railroad was resumed:

Mr. Sykes moved to lay the bill and amendment on the table.

The question was first taken on laying the amendment on the table;

Which was carried.

And then taken upon laying the bill on the table;

Which was lost—yeas 34, nays 36.

Those who voted in the affirmative are, Messrs. Speaker, Bethea, Bishop, Brown, Chambers, Charlton, Chisholm, Clarke, Dent, Donnell, Ellis, Fannin, Gafford, Gardner, Gibson, Head, Holley, Howard, Lewis, May, Mitchell, McAlexander, McCain, McClelland, McLemore, Nisbet, Ogbourne, Orr, Parish, Scruggs, Sykes, Towles, Vanzandt, and Williams—34.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Atkinson, Barron, Bell, Bradley, Brooks, Chapman, Coleman, Cooper, Cox, Cumming, J. W. Davis, M. L. Davis, Dawson, Foster, Franklin, Hames, Hollis, Jones, John Keenan,

Lawler, Magee, Modawell, John Moore, Moulton, C. A. Parker, Parsons, Price, Reid, Ryan, Seay, Sims, Taylor, Vincent, and West—36.

Mr. Sykes moved to take from the table the amendment just laid there;

Which motion was lost—yeas 30, nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Bethea, Bradley, Chambers, Charlton, Chisholm, Clarke, Cox, Donnell, Ellis, Fannin, Gafford, Gibson, Head, Holley, Howard, May, Mitchell, McAlexander, McClelland, McLemore, Nisbet, Ogbourne, Parish, C. A. Parker, Scruggs, Seay, Sykes, Vanzandt, and Williams—30.

Those who voted in the negative are, Messrs. Armstrong, G. W. Ashe, Atkinson, Barron, Bell, Bishop, Brooks, Chapman, Coleman, Cooper, Cumming, J. W. Davis, M. L. Davis, Dawson, Foster, Franklin, Gardner, Hames, Hollis, John Keenan, Lawler, Lewis, Ligon, Magee, Modawell, John Moore, Moulton, McCain, Orr, Parsons, Price, Reid, Ryan, Sims, Taylor, Vincent, and West—37.

Mr. Lawler offered the following amendment, which was adopted: "Provided the branch road shall commence at or near Ashby station on the Alabama and Tennessee river railroad, and shall terminate at or south of Elyton in Jefferson county; and provided further, that it shall not cross the Tennessee and Alabama central railroad."

The bill was then read a third time, and passed, and ordered forthwith to the Senate.

House concurred in the amendment of the Senate to the bill to amend section 3301 of the code.

On motion of Mr. Chambers, the Senate resolution to go into the election of a chancellor for the middle chancery division, was amended by striking out "Tuesday," and inserting "Monday, 7th instant," and thus amended was adopted.

GENERAL ORDERS:

House bills—

To provide for the maintenance of civil authority and the preservation of law and order within the limits of this State;

To increase the fees of jailors;

For the relief of W. S. Keenon of Dallas county;

To fix the fees of solicitors in certain cases;

Were severally read a third time, and passed.

House bills—

To exempt Thomas O. Partridge, a blacksmith, from militia duty, &c.;

To extend certain provisions of an act to re-organize the militia of this State to the county of Tuscaloosa;

Were severally read a third time, and lost.

On motion of Mr. Cumming, the bill to prevent the introduction into this State of free negroes and slaves guilty of criminal offences, was laid on the table.

House bill to amend section 3536 of the code;

Was read a third time, and passed.

Senate bill to authorize the issuance of treasury notes, and for other purposes;

Was read twice, and laid on the table.

Senate joint resolutions in relation to the performance of provost guard duty by persons not belonging to the army;

Were read twice, and laid on the table.

House rejected the amendment of the Senate to the House bill to amend the law in relation to advertising absconding slaves.

House concurred in the Senate amendment to the House bill to authorize R. F. Starr to marry.

House refused to concur in the Senate amendment to the House bill to contribute to the support of the indigent families of soldiers;

And to the amendment of the Senate to the amendment of the House to the Senate amendment to the House joint resolutions in reference to soldiers' pay.

House insisted on its amendment to the Senate amendment to the bill to require railroad companies to keep lights on their trains.

Senate bills—

To regulate the fees of solicitors in certain cases.

For the relief of tax collectors of this State;

For the relief of guardians, and to secure the estates of their wards;

Were read three times, forthwith, and passed.

Senate bills—

To amend an act to provide for the re-organization of the State penitentiary;

To provide just compensation to certain State officers;

Were severally read twice, and laid on the table.

The last mentioned bill was laid on the table on motion of Mr. Parsons—yeas 35, nays 24.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brooks, Charlton, Clarke, Coleman, Cumming, J. W. Davis, M. L. Davis, Dawson, Dent, Donnell, Foster, Gafford, Head, Hollis, Lawler, Ligon, Modawell, McAlexander, McCain, E. S. C. Parker, Parsons, Seay, Sims, Towles, Vanzandt, Vincent, and West—35.

Those who voted in the negative are, Messrs. Benners, Bethea, Bishop, Chambers, Chapman, Chisholm, Cox, Ellis, Fannin, Gibson, John Keenan, Magee, Mitchell, John Moore, Moulton, McClelland, McLemore, Nisbet, Ogbourne, C. A. Parker, Price, Scruggs, Sykes, and Taylor—24.

Senate bill to incorporate the Montevallo coal mining company;

Was read twice.

Mr. Ogbourne moved to amend as follows, which was adopted: strike out the words "the Alabama river," where they occur in the third line of the 2d section, and insert "the branch of the Tennessee and Alabama central railroad."

The bill was then read a third time, and passed.

Senate bill to consolidate certain land districts:

Was read twice.

Mr. Cumming moved to strike out the second section;

Which was lost.

The bill was referred to the committee on public lands.

Senate bills—

To repeal an act to suspend during the war the statute of non-claims in certain cases;

To change the time of holding the circuit courts in the 5th and 10th judicial circuits;

For the final liquidation of the State bank and branches;

To amend an act to regulate the interest upon debts in payment of which Confederate treasury notes may be tendered and refused;

Were severally read twice, and referred to the judiciary committee.

Senate bill to amend an act to render more efficient the system of free public schools in the State of Alabama;

Was read twice, and referred to the committee on education.

Senate bill for the relief of Jeremiah Fail;

Was read twice, and referred to the committee on salt supply.

Senate bill for the relief of sick and wounded soldiers within this State;

Was read twice, and referred to the committee on ways and means.

House adjourned till 9 o'clock. Monday morning.

MONDAY, DECEMBER 7, 1863.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Reid, of the House.

On motion of Mr. Foster, the reading of the journal was dispensed with.

Mr. Foster offered the following resolution, which was adopted:

Resolved, That 2000 copies of the third annual report of the trustees and superintendent of the insane hospital at Tuscaloosa be printed for the use of the House.

On motion of Mr. C. A. Parker, all business was suspended to allow committees to report.

REPORTS FROM COMMITTEES.

Mr. C. A. Parker, from the committee on propositions and grievances, reported favorably to the bill for the relief of T. B. Bethea;

Which was read a third time, and passed.

Mr. Bethea, from the special committee, reported a bill to continue the office of commissioner and trustee, and to provide for the payment of the foreign debt of the State;

Which bill was read three times, and passed, and ordered forthwith to the Senate.

Mr. Cumming, from a select committee, reported a bill to provide cotton and wool cards for the indigent families in this State.

On motion of Mr. Chambers, section five was stricken out.

Mr. Modawell moved to amend, by proviso to the 2d section, as follows, which was carried: "Provided that the probate judges of the several counties in this State be authorized to donate one pair of cards to each family who shall be unable to purchase the same."

Mr. M. L. Davis moved to amend, as follows, which was adopted: "Provided that the commissioners' court shall distribute said cards *pro rata*, according to the number of indigent families of soldiers in each precinct."

On motion of Mr. Fannin, the bill was amended by additional section, as follows:

Section 8. Be it further enacted, that all parties purchasing or receiving cards, under the provisions of this act, for a less amount than their full cost and charges, shall make oath that their cards are purchased or received for their own use and not for re-sale.

The bill was then read a third time, and passed.

Mr. Dawson, from select committee, reported a bill for the relief of the families of soldiers who have died in the military service of the Confederate States;

Which bill was read three times, forthwith, and passed.

Mr. Nişbet, by leave, introduced a bill to pay the members and officers of the present General Assembly;

Which was read three times, forthwith, and passed.

Mr. Chapman, from the committee on the judiciary, reported favorably to the bill to extend to the probate court of Jefferson county the provisions of an act therein named.

Which bill was read a third time, and passed.

Also, reported adversely to the bill to amend an act to aid the Confederate government in arresting deserters and others.

Which report was concurred in.

Mr. Dawson, from the same committee, reported favorably, with amendments, to the bill to incorporate the Baptist orphans' asylum;

Which amendments were adopted, the bill read a third time, and passed.

Mr. Manasco, from the committee on accounts and claims, reported a bill for the relief of H. P. Watson;

Which was read three times, forthwith, and passed.

Mr. Lawler, from the committee on ways and means, reported a bill making appropriations for the fiscal year ending September 30th, 1864;

Which was read three times, forthwith, and passed.

Mr. Magee, from the same committee, reported adversely to the Senate bills:

For the relief of sick and wounded soldiers within this State;

To provide for paying for medicines furnished to the indigent families of soldiers, &c.;

Which reports were concurred in.

Mr. Benners, by leave, introduced a bill to repeal in part an act to increase the fees of the clerk of the supreme court, approved February 2d, 1854;

Which was read three times, forthwith, and passed.

Mr. Magee, from the committee on ways and means, reported adversely to the bill to incorporate the planters' insurance, trust, and banking company;

Which report was concurred in.

Message from the Governor by Mr. Taylor:

Mr. Speaker :

The Governor has approved the following acts, which originated in the House of Representatives, entitled:

An act to exempt certain persons therein named from military duty in the provisional army of the Confederate States;

An act for the relief of those counties which are or shall be overrun by the enemy;

An act for the relief of Charles Irby Mitchell.

Message from the Senate by Mr. Taul.

Senate, December 7.

Mr. Speaker :

The Senate has passed House bills :

For the relief of the tax collector of Calhoun county;

For the relief of Mrs. Jane Kirk of Macon county;

For the relief of Samuel A. Fitts, administrator, &c.;

For the relief of A. A. Henderson, a minor;

To authorize M. L. Davis and D. W. Hollis to draw certain funds for the relief of indigent families of soldiers in Marion county, and for other purposes;

To amend an act to render more efficient the system of free public schools in the State of Alabama, so far as relates to Sumter county;

To give the Governor power in certain cases;

To provide for the military defense of the State of Alabama;

To authorize the county commissioners of Mobile county to increase the salary of the judge of the city court of Mobile;

To pay the expenses of the inauguration of his Excellency Thomas H. Watts.

The Senate concurs in the House amendments to Senate bills:

To establish a criminal court in the city of Montgomery, with civil jurisdiction;

To incorporate a mining and manufacturing company;

To amend an act declaring who shall be exempt from militia duty in this State, approved August 29, 1863.

The Senate has adopted House joint resolutions in relation to the services of General Joseph E. Johnston;

And a joint memorial to the War Department for the relief of the 26th regiment Alabama volunteers.

The Senate has amended, as therein shown, and passed the House bills:

To repeal an act to amend the charters of the towns of Marion and Montevallo, so far as the town of Marion is concerned;

To incorporate the Selma iron works;

For the relief of Thomas W. Hines;

For the relief of Wiley Glover of Calhoun county.

The Senate has adopted House joint resolutions directing the commissioner of public lands to withhold patents in certain cases.

The Senate has originated and passed bills:

For the relief of Eliza Jane Harris of Randolph county, Alabama;

In relation to deserters from the Confederate army.

The Senate concurs in the amendment of the House propos-

ing to elect a chancellor for the middle chancery division, tomorrow, at 12, m., to fill the vacancy occasioned by the resignation of Honorable Wm. M. Byrd.

M. TAUL.

Mr. Parsons introduced a bill to provide means of paying the public debt of this State:

Which was read twice.

Mr. Modawell moved to lay the bill on the table;

Which was lost---yeas 32, nays 41.

Those who voted in the affirmative are, Messrs. Atkinson, Bell, Bethea, Bradley, Bryan, Brown, Charlton, Clarke, Coleman, Cumming, M. L. Davis, Ellis, Graves, Greathouse, Greene, Holley, Howard, Ligon, Magee, Manasco, May, Mitchell, Modawell, Morrow, Orr, Parish, Robeson, Scruggs, Sibley, Taylor, Towles, and Williams---32.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, Barron, Benners, Bishop, Brooks, Chambers, Chapman, Chisholm, Dawson, Donnell, Fannin, Foster, Franklin, Gafford, Gardner, Hames, Head, Hollis, John Keenan, Lawler, Leeper, John Moore, Moulton, McAlexander, McCain, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Ryan, Seay, Sims, Sykes, Vanzandt, Vincent, and Wolff—41.

Mr. Cumming offered the following amendment, which was lost: "Provided that said commissioner and trustee shall give bond and security, to be approved by the Governor, in double said amount, and that he be not entitled to any further compensation than that now allowed by law for his services under this act."

Yeas 30, nays 40.

Those who voted in the affirmative are, Messrs. Atkinson, Bethea, Bradley, Brown, Charlton, Clarke, Coleman, Cumming, M. L. Davis, Ellis, Foster, Graves, Greathouse, Greene, Holley, Howard, Ligon, Magee, Manasco, May, Mitchell, Modawell, Morrow, Orr, Parish, Robeson, Scruggs, Sibley, Towles, and Williams—30.

Those who voted in the negative are, Messrs. Speaker, Armstrong, Barron, Bell, Benners, Bishop, Brooks, Chambers, Chapman, Chisholm, Dawson, Donnell, Fannin, Franklin, Gafford, Gardner, Hames, Head, John Keenan, Lawler, Leeper, John Moore, Moulton, McAlexander, McCain, McLemore, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Ryan, Seay, Sims, Taylor, Vanzandt, Vincent, and Wolff—40.

Mr. Bethea offered the following amendment: "the said commissioner and trustee, before receiving any of said \$1,500,000, as aforesaid, shall enter into bond and security, to be approv-

ed by the Governor, for the sum of two millions of dollars for the due and faithful performance of his duties; and for such purchases, he shall receive one per cent."

Mr. Sykes moved to amend the amendment, by striking out "one" and inserting "one-half of one."

Which motion was carried, and the amendment thus amended was adopted—yeas 49, nays 23.

Those who voted in the affirmative are, Messrs. G. W. Ashe, Ashurst, Atkinson, Bell, Bethea, Bishop, Bradley, Bryan, Brown, Chambers, Chisholm, Clarke, Coleman, Cumming, M. L. Davis, Dawson, Foster, Franklin, Gafford, Graves, Greathouse, Greene, Head, Holley, Hollis, Howard, John Keenan, Ligon, Magee, Manasco, May, Mitchell, Modawell, John Moore, Morrow, McCain, McClelland, McLenore, Orr, Parish, C. A. Parker, Price, Reid, Robeson, Scruggs, Sibley, Sykes, Towles, and Vincent—49.

Those who voted in the negative are, Messrs. Speaker, Armstrong, Barron, Benners, Brooks, Chapman, Charlton, J. W. Davis, Fannin, Gardner, Gibson, Hames, Leeper, Moulton, McAlexander, Nisbet, Ogbourne, E. S. C. Parker, Parsons, Ryan, Sims, Taylor, and Vanzandt—23.

Mr. Reid moved to reconsider the vote whereby "one per cent." was stricken out in order to insert "one-quarter of one per cent.;"

Which was lost.

Mr. Cumming moved to lay the bill on the table;

Which was lost.

The bill was then ordered to a third reading.

Mr. Chambers, from the committee on education, reported adversely to the Senate bill to amend an act to render more efficient the system of free public schools in the State of Alabama;

Which report was concurred in.

Also, from the joint special committee on the seal of the State, reported that they have not agreed upon a design for a new seal, and ask leave to further consider the matter submitted to them, and report the same at the next session of the General Assembly.

Which report was concurred in.

Mr. Gibson, from the committee on public lands, reported favorably to the Senate bill to consolidate certain land districts therein named, with amendments;

Which were adopted, the bill read a third time, and passed.

Also, from the same committee, adversely to the bill for the extension of the time of settlement and cultivation of lands entered under the 36th section of the Land Ordinance;

Which report was concurred in.

Mr. Taylor, from the committee on corporations, reported favorably to the bill to incorporate the Cahaba iron and coal mining company;

Which bill was read a third time, and passed.

At the hour of 12, m., the Senate was invited into the hall of the House of Representatives, when the two Houses in joint convention proceeded to the election of a chancellor for the middle chancery division, to fill the unexpired term of Chancellor Byrd,

Joseph R. John, of Dallas county, alone being in nomination and having received all the votes cast, was declared by Mr. Speaker to have been duly and constitutionally elected chancellor for the middle chancery division for the time prescribed by law.

The Senate then withdrew to its chamber.

On motion of Mr. Lawler, all business was suspended to allow Captain Hames, from the 20th Alabama regiment, to make a statement with regard to the condition of the army.

Mr. Parker moved to take from the special orders the bill to repeal certain acts regulating judicial proceedings, &c.

Which was carried.

Mr. Chambers offered the following amendment: "Provided that all liens on judgments, decrees, or forfeited bonds, acquired under said acts be, and the same are hereby preserved and maintained, and not in anywise affected by the repeal of said acts, or any provision contained in this act, except as hereinafter provided."

On motion of Mr. Lawler, the bill was postponed and made special order for 3, p. m.

The Governor's veto of the bill for the relief of the estate of Ovid Mazange was then considered, and the bill failed to pass over the Governor's veto.

Veto message of the Governor:

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, December 5, 1863. }

HON. W. H. CRENSHAW,

*Speaker of the House of Representatives
of the General Assembly of the State of Alabama:*

I herewith return to the House of Representatives an act for the relief of the estate of Ovid Mazange, passed on the 3d instant.

I cannot give my approval to this act. All the relief sought to be given to said estate can be obtained by application to the probate court of the county granting the letters of administration. The 29th section of the 3d article of the constitution

declares that "no special law shall be enacted for the benefit of individuals or private corporations in cases which are provided for by a general law, or where the relief sought can be given by any court of this State." It seems clear to my mind that this act is in direct violation of this section of the constitution. This provision of the constitution was intended to prohibit an evil which had existed for many years in this State. It is manifest injustice that one or more individuals shall, to avoid the expense of courts, tax the time of legislators and the money of the State, to have granted to them relief which can be given by application to a court.

T. H. WATTS, Governor of Alabama.

The vote on the passage of the bill was, yeas 41, nays 12.

Those who voted in the affirmative are, Messrs. Bell, Bethea, Brooks, Bryan, Brown, Chambers, Chapman, Clisholm, Clarke, Coleman, J. W. Davis, Dawson, Fannin, Gardner, Gibson, Greathouse, Greene, Hames, Head, Howard, John Keenan, Lawler, Leeper, Magee, Modawell, Moulton, McAlexander, McLemore, Parish, C. A. Parker, E. S. C. Parker, Price, Reid, Robeson, Ryan, Scruggs, Sims, Taylor, Vanzandt, Vincent, and Williams—41.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Charlton, Cumming, Ellis, Foster, Mitchell, Morrow, Nisbet, and Seay—12.

Mr. Reid, from the committee on salt supply, reported favorably to the Senate bill for the relief of Jeremiah Fail;

Which bill was read a third time, and passed.

House refused to concur in the amendment of the Senate to the House bill to authorize the issue and sale of State bonds, and asked for a committee of conference. Messrs. Chambers, Lawler, and Benners, compose the committee on the part of the House.

House adjourned till 3, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Bills were introduced—

By Mr. Modawell, for the protection of attorneys, agents, and officers of this State.

By Mr. Taylor, for the relief of the estate of O. Mazange;

Which was read three times, forthwith, and passed.

By Mr. Bradley, to authorize the distillation of grain hereafter imported into this State;

Which was read twice, and referred to the judiciary committee.

House resumed the consideration of the special order, it being the bill to repeal certain acts to regulate judicial proceedings.

Mr. Chambers moved to amend, by two additional sections, as follows:

Section 5. Be it further enacted, That all judgments and decrees now existing in any court of record in this State, or which may hereafter exist, shall be and operate as a lien upon all property of defendant or defendants therein, from the date of their rendition, except such property as may be exempt from levy and sale under legal process in this State for the benefit of families.

Section 6. Be it further enacted, If the defendant in such judgment, decree, or forfeited bond, shall tender payment of the amount thereon to the creditor therein, or his attorney of record, in current bank notes, or in the treasury notes of the Confederate States or of this State, and the creditor or attorney shall refuse to receive them at par value, the lien of such judgment, decree, or forfeited bond, and of all executions thereon, shall thereby be discharged and prevented.

Which were adopted.

The vote on the last section was, yeas 47, nays 19.

Those who voted in the affirmative are; Messrs. Speaker, G. W. Ashe, Ashurst, Atkinson, Bell, Brooks, Bryan, Brown, Chambers, Chapman, Chisholm, Coleman, Cumming, J. W. Davis, M. L. Davis, Dawson, Fannin, Foster, Franklin, Gafford, Gibson, Graves, Greathouse, Hanes, Hollis, Howard, Magee, Modawell, John Moore, Moulton, McAlexander, McCain, Nisbet, Ogbourne, Orr, C. A. Parker, Price, Reid, Robeson, Ryan, Seay, Sibley, Taylor, Towles, Vanzandt, Vincent, and Wolff—47.

Those who voted in the negative are, Messrs. Armstrong, Bethea, Bishop, Bradley, Charlton, Clarke, Donnell, Ellis, Head, Lawler, Leeper, Ligon, John G. Moore, Morrow, McClelland, McLemore, E. S. C. Parker, Sims, and Sykes—19.

Mr. Vanzandt offered an amendment;

Which was lost.

Mr. Modawell moved to amend, after the word "States" in the 5th line of section 2, as follows, which was adopted: "until one year after he shall be discharged from such service."

Mr. Cumming moved to amend, at the end of the first section, as follows, which was adopted: amend the second section by inserting in the 10th line of the second section by adding after the words "is in service as aforesaid" the words "or for one year thereafter."

Mr. Lawler moved to strike out the words "or bonds."

Which was carried.

Mr. McClelland moved to lay the bill on the table;

Which was lost.

The bill was then ordered to a third reading.

Mr. Magee, from the committee on ways and means, reported favorably, with amendment, to the Senate bill to provide for paying for medicines furnished to the indigent families of soldiers, &c.;

Which amendment was adopted, the bill read a third time, and passed.

House concurred in the amendment of the Senate to the House bills :

To repeal an act to amend the charters of the towns of Marion and Montevallo, so far as relates to the town of Marion;

For the relief of persons rendered destitute by the seizure, waste, or destruction of their means of subsistence by the public enemy.

Senate bills—read three times, forthwith, and passed:

To regulate the settlement of accounts in the military department of this State:

To amend an act to establish an institution for the deaf and dumb;

To incorporate the Oakfoskee manufacturing company;

To compensate sheriffs and other officers in certain cases.

Senate bill to increase the efficiency of the Quartermaster General's department of this State:

Was read twice.

Mr. Cumming moved to strike out all that relates to "clerk" for ordnance;

Which was carried.

Also, moved to amend as follows, which was carried: "that the salary of the Quartermaster General of this State shall be \$4000 and no more, and he shall not be entitled to extra pay or allowance."

The bill was then read a third time, and passed.

Senate bills—

To require probate judges to make certificates, &c., free of charge;

To compensate A. B. Clitherall as ordnance officer;

For the exemption of the officers of the penitentiary;

To repeal in part an act to regulate the sale and exportation of corn;

To amend the third section of an act to enable the citizens of this State to procure a necessary supply of salt, &c.;

Were severally read three times, and passed.

Senate bill to amend section 638 of the code;

Was read twice, and referred to the judiciary committee.

Senate bill for bringing certain lands into market;

Was read twice, and referred to the committee on public lands.

Senate bill to repeal an act to direct the binding of certain copies of the acts of the General Assembly;

Was read twice, and ordered to a third reading.

Senate bill to incorporate the Mobile and Selma coal mining company;

Was read three times, forthwith, and passed.

Message from the Senate by Mr. Morgan.

Mr. Speaker :

The Senate disagrees to the House amendment to the Senate bill to consolidate certain land districts therein named.

Senate bill to provide food and raiment for the families of soldiers and to regulate the price of certain articles and commodities in certain counties therein named;

Was read twice, and, on motion of Mr. Sykes, was made special order for 10 o'clock, to-morrow.

Senate bill in relation to deserters from the Confederate army;

Was read twice.

Mr. Modawell offered the following amendment, "Provided that any unnaturalized foreigner who has not or shall not hereafter enlist in the Confederate army, shall never be entitled to the privilege of the elective franchise in this State."

Mr. Ogbourne offered the following amendment: "Provided, all members of this House who were in favor of secession and who have never volunteered in the service of the Confederate States, be forever disfranchised."

Mr. Speaker ruled this amendment out of order.

From which decision Mr. Chambers appealed.

And the question being put "Shall the decision of the chair stand as the judgment of the House?" the decision of the chair was sustained.

The bill was referred to the judiciary committee.

House concurred in the first and second amendment of the Senate to the House bill to amend the revenue laws of this State, and refused to concur in the third, fourth, and fifth amendments.

The vote to concur in the fourth amendment was, yeas 24. nays 30.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Barron, Bell, Bishop, Bryan, Brown, Chapman, Coleman, Cumming, J. W. Davis, Dawson, Donnell, Fannin.

Head, Holley, Mitchell, Modawell, McLemore, Parish, Parsons, Sims, Sibley, and Vanzandt—24.

Those who voted in the negative are, Messrs. Benners, Bethea, Bradley, Brooks, Chambers, Chisholm, Clarke, M. L. Davis, Gafford, Graves, Hames, John Keenan, Lawler, Leeper, Ligon, Magee, John Moore, John G. Moore, Moulton, McAlexander, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Price, Reid, Ryan, Sykes, Towles, and Vincent—30.

On motion of Mr. McLemore, the bill to amend the law as to advertising absconding slaves, amended by the Senate, was laid on the table.

House insisted on its disagreement to the amendment of the Senate to the House bill to contribute to the support of the indigent families of soldiers, &c., and appointed Messrs. Modawell, Fannin, and Clarke, a committee of conference.

House receded from its amendment to the amendment of the Senate to the House bill to require railroad companies to keep lights on their trains.

Mr. Nisbet moved to lay on the table the joint resolutions of the House in reference to soldiers' pay, which had been amended in the Senate, and for which the House adopted a substitute and the Senate amended said substitute, and the House refused to concur.

Which motion was lost—yeas 6, nays 44.

Those who voted in the affirmative are, Messrs. Bradley, Chisholm, Head, Leeper, Ligon, and Nisbet—6.

Those who voted in the negative are Messrs. Speaker, Armstrong, Ashurst, Barron, Bell, Benners, Bethea, Bishop, Brooks, Bryan, Brown, Chambers, Chapman, Clarke, Coleman, Cumming, J. W. Davis, M. L. Davis, Dawson, Donnell, Fannin, Gafford, Graves, Greathouse, Hames, John Keenan, Lawler, Magee, Modawell, John Moore, McAlexander, Ogbourne, Parish, C. A. Parker, E. S. C. Parker, Parsons, Reid, Robeson, Ryan, Sims, Sibley, Taylor, Towles, and Vanzandt—44.

House adjourned till 9 o'clock to-morrow morning.

TUESDAY, DECEMBER 8, 1863.

House met pursuant to adjournment.

On motion of Mr. Cumming, all business was suspended to allow him to introduce a bill for the relief of the heirs of Cornelia Steele, deceased;

Which was read three times, forthwith, and passed.

REPORTS FROM COMMITTEES.

Mr. Chapman, from the judiciary committee, reported favor-

ably to the bill to authorize the distillation of grain hereafter imported into this State;

Which bill was read a third time, and passed.

Mr. Parsons, from the same committee, reported adversely to the bills :

To amend an act to regulate judicial proceedings;

To extend the provisions of section nine of the stay law to all soldiers in actual military service;

Amendatory of section thirteen of an act to regulate judicial proceedings, approved December 10, 1861;

Which reports were concurred in.

Mr. Gibson, from the committee on public lands, reported favorably, with an amendment, to the Senate bill to provide for bringing certain lands into the market;

Which amendment was adopted, the bill read a third time, and passed.

Mr. Cumming, from the committee on corporations, reported favorably to the bill to authorize the Montgomery mining and manufacturing company to construct railways;

Which bill was read a third time, and passed.

Mr. Greene, from the committee on roads, bridges, and ferries, reported favorably to the bill to increase the duties of overseers of public roads, and to prevent parties from joining fences to public bridges;

Which bill was read a third time, and passed.

Mr. Dawson, from the judiciary committee, reported favorably to the Senate bill to change the time of holding the chancery courts in the 5th, 6th, 7th, 9th, and 12th districts, &c.;

Which bill was read a third time, and passed.

Also, favorably to the Senate bill to detach certain counties from the middle chancery division and to attach others thereto, &c.;

On motion of Mr. Cumming, the counties of Monroe and Clarke were stricken out of the bill;

And the bill was read a third time, and passed.

Mr. Modawell, from the committee on local legislation, reported a bill to increase the fees of the commissioners and constables in Chambers county;

Which was read three times, forthwith, and passed.

Senate bill to pay Reese Howell for a slave executed;

Was read a third time, and lost—yeas 14, nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Barron, Bradley, Bryan, Chambers, Donnell, Lawler, Morrow, Moulton, Ogbourne, Parsons, Sims, Taylor, and Towles—14.

Those who voted in the negative are, Messrs. Atkinson, Benners, Bethea, Brown, Chapman, Chishelm, Coleman, Cumming,

J. W. Davis, M. L. Davis, Dawson, Ellis, Foster, Gafford, Gardner, Graves, Greene, Hames, Head, Holley, Hollis, Leeper, Manasco, Mitchell, John Moore, McAlexander, McCain, Nisbet, Parish, C. A. Parker, E. S. C. Parker, Price, Robeson, Ryan, Seay, Sibley, and Sykes—37.

Mr. Cumming, from the select committee, reported adversely to the bills :

Senate bill—to provide spinning or cotton and wool cards;

House bill—to encourage the manufacture of spinning machines;

Which reports were concurred in.

Mr. Parsons, from the judiciary committee, reported adversely to the Senate bill in relation to deserters from the Confederate army;

Which report was concurred in.

Message from the Governor by Mr. Taylor:

Mr. Speaker :

The Governor has approved the following acts, which originated in the House of Representatives, entitled:

An act more fully to explain and carry into effect joint resolutions in relation to Alabama volunteers passed by the General Assembly of Alabama, and approved Nov. 5th, 1862;

An act to increase the fees of judges of probate and other public officers of this State;

An act to increase the fees now allowed by law for apprehending and committing to jail runaway slaves;

An act for the distribution of the educational fund;

An act to amend section 3301 of the code;

An act to secure the trial of slaves under indictment;

An act to provide for the military defense of the State of Alabama;

An act for the relief of the tax collector of Calhoun county;

An act for the relief of Mrs. Jane Kirk of Macon county;

An act to authorize M. L. Davis and D. W. Hollis to draw certain funds for the relief of indigent families of soldiers in Marion county, and for other purposes;

An act to pay the expenses of the inauguration of his Excellency Thomas H. Watts;

An act to give the Governor power in certain cases;

An act for the relief of Wiley Glover of Calhoun county;

An act to authorize the county commissioners of Mobile county to increase the salary of the judge of the city court of Mobile;

An act for the relief of Algernon A. Henderson, a minor;

An act to better regulate the fees of the judges of the probate courts of Greene, Marengo, and Choctaw counties:

An act to amend an act to incorporate the city of Montgomery;

Also—Joint resolutions in relation to the services of Gen'l Joseph E. Johnston;

Joint resolutions directing the commissioner of public lands to withhold patents in certain cases.

Also—Joint memorial to the War Department for the relief of 26th regiment of Alabama volunteers.

Message from the Senate by Mr. Taul.

Mr. Speaker:

The Senate insists in its amendments to the House bill to authorize the issue and sale of State bonds, and asks for a conference committee. Messrs. Harrison, Reavis, and Ligon, said committee.

Mr. Modawell, from the committee of conference on the bill to contribute to the support of the indigent families of soldiers, reported the amendment agreed upon by the committee; which amendment was concurred in.

Special order—bill to provide food and raiment for the families of soldiers and to regulate the prices of certain articles and commodities in certain counties therein named, was laid on the table.

On motion of Mr. Dawson, the bill to amend the revenue laws, was taken from the table, and Messrs. Lawler, Bethea, and Fannin, were appointed a committee of conference on the part of the House.

Special order—bill to sell the furniture belonging to the Alabama hospital at Richmond, and to make a donation of the proceeds to Mr. & Mrs. A. F. Hopkins, was considered.

Mr. Chapman moved to strike out the second section.

Mr. Bethea moved to lay the bill on the table:

Which was carried.

Message from the Senate by Mr. Taul.

Mr. Speaker:

The Senate concurs in the amendment of House to the bill to increase the efficiency in the Quartermaster's department of the State of Alabama.

Refuses to concur in House amendment to provide for bringing certain lands into market.

Senate concurs in House amendment to the bill to detach certain counties from the middle chancery division and attach others thereto, also to detach certain counties from the southern chancery division and attach others thereto.

M. TAUL.

Senate bill for the relief of Eliza Jane Harris;
Was read three times, forthwith, and passed.

Senate bills—

To provide for the issue and sale of State bonds, and for other purposes;

To consolidate certain land districts therein named:

Were laid on the table.

Senate bill for the relief of the widow and children of Jas. Morgan, deceased, which had been vetoed by the Governor, was taken up, and the House refused to pass the bill over the veto—yeas 18, nays 40.

Those who voted in the affirmative are, Messrs. Ashurst, Be-thea, Bradley, Brooks, Chambers, Chapman, Chisholm, M. L. Davis, Dawson, Foster, Gibson, Head, Modawell, McLemore, Ogbourne, Price, Sykes, and Williams—18.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, Atkinson, Bell, Bryan, Coleman, Cumming, Ellis, Fannin, Gafford, Gardner, Graves, Greene, Hames, Hol-ley, Hollis, Howard, Leeper, Magee, Manasco, Mitchell, John Moore, Morrow, Moulton, McAlexander, McCain, Nisbet, Par-ish, C. A. Parker, E. S. C. Parker, Parsons, Reid, Robeson, Ryan, Seay, Taylor, Towles, Vanzandt, and Vincent—40.

Mr. Modawell introduced a bill for the relief of Samuel A. Pitts, administrator of estate of Wm. Pitts, deceased;

Which was read three times, forthwith, and passed.

Message from the Senate by Mr. Taul.

Mr. Speaker :

The Senate has amended, and as amended has passed, House bill to incorporate the orphans' asylum for the State of Ala-bama;

And passed House bills :

For the relief of the heirs of Cornelia Steele, deceased;

For the relief of the families of soldiers who have died in the military service of the Confederate States;

To amend section 3536 of the code;

For the relief of the estate of O, Mazange;

To incorporate the Cahaba iron and coal mining company;

To increase the duties of overseers of public roads and to prevent parties from joining fences to public bridges.

Bill to repeal and modify an act to regulate judicial pro-ceedings, approved December 10, 1861;

Was read a third time, and passed.

Bill to provide means to pay the public debt, was taken up, read a third time, and passed.

Mr. Moulton moved to reconsider the vote on the passage of said bill;

Which motion was lost—yeas 28, nays 32.

Those who voted in the affirmative are, Messrs. G. W. Ashe,

Ashurst, Atkinson, Bethea, Bradley, Bryan, Charlton, Clarke, Coleman, Cumming, Graves, Howard, Magee, Mitchell, Modawell, J. Moore, McClelland, McLemore, Parish, Reid, Scruggs, Seay, Sibley, Sykes, Taylor, Towles, and Williams—27.

Those who voted in the negative are, Messrs. Speaker, Armstrong, Bell, Brooks, Chambers, Chapman, Chisholm, J. W. Davis, M. L. Davis, Dawson, Ellis, Fannin, Gafford, Gardner, Hames, Head, John Keenan, Leeper, Moulton, McAlexander, McCain, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Price, Robeson, Ryan, Sims, Vanzandt, and Vincent—32.

House concurred in the amendment of the Senate to the House bill to incorporate the orphans' asylum for the State of Alabama.

Senate bill to repeal an act to direct the binding of certain copies of the acts of the General Assembly;

Was read a third time, and passed.

House joint resolution to suspend licenses for the retail of spirituous liquors, was taken up.

Mr. Moulton moved to lay the bill on the table;

Which was lost.

And the bill was read a third time, and passed.

Senate bill to provide just compensation to certain State officers therein named, was taken up.

Mr. Cumming moved to strike out all except so far as the Secretary of State is concerned;

Which was lost.

Mr. Hollis moved to amend as follows, which was lost:

Be it further enacted, that the *per diem* and mileage of members and officers of the General Assembly shall be increased twenty-five per cent. after the adjournment of the present session of the same; this section to continue in force only until the close of the present war between the Confederate States and the United States.

Joint resolutions in regard to soldiers' pay, were taken up.

The question was—will the House insist on its disagreement to the amendment of the Senate.

House adjourned till 3, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Message from the Senate by Mr. Taul.

Mr. Speaker:

The Senate has originated and passed bills:

To compensate the door-keeper for money paid out, and for other purposes;

In relation to Alabama hospitals in Richmond;

To give the carpets of the State of Alabama for the use of private soldiers from Alabama in the Confederate service.

The Senate concurs in House amendment to repeal and modify an act to regulate judicial proceedings, approved December 10, 1861.

The Senate has passed the House bills:

To make appropriations for the fiscal year ending on the 30th September, 1864; and

For the relief of Samuel A. Fitts, administrator of Wm. A. Fitts, deceased.

The Senate has amended, as therein shown, and passed the House bill to provide for the maintenance of civil authority and the preservation of law and order within the State of Alabama.

Mr. Foster introduced a bill to repeal in part an act to regulate the fees of probate judges in Greene, Marengo, and Choctaw counties;

Which was read three times, forthwith, and passed.

House concurred in the amendment of the Senate to the House bill to provide for the maintenance of civil authority and the preservation of law and order within the limits of this State.

Senate bill in relation to the Alabama hospitals in Richmond, &c.;

Was read three times, forthwith, and passed.

Senate bill to compensate the door-keeper for money paid out, and for other purposes;

Was read three times, forthwith, and passed.

Senate bill to give the carpets of the State of Alabama for the use of the private soldiers from the State of Alabama;

Was read twice.

Mr. Benners moved to amend as follows, which was carried: "such carpets as can be beneficially used for blankets."

The bill was then read a third time, and passed.

House insisted on its disagreement to the amendment of the Senate to the House joint resolutions in regard to soldiers' pay.

Mr. Chambers, from the committee of conference on the bill to authorize the issue and sale of State bonds, reported as follows:

The committee of conference on the bill to authorize the issue of State bonds, have had the same under consideration and instructed me to report, that the Senate recedes from its amendment, and amends the first section of the House bill by

striking out the word "two," where it occurs in the first section of the bill, and insert in lieu thereof the word "three," and as amended recommend its passage.

Which report was concurred in.

Mr. Lawler submitted the following

REPORT :

The conference committee to whom was referred matters of disagreement between the two Houses on the bill to amend the revenue laws of this State, have had the same under consideration, and have instructed the following report to be submitted :

1st. That the House recede from its disagreement to the amendment of the Senate to strike section one from the bill.

2d. That the Senate recede from its amendment to strike section two from the bill, except the proviso in the following words, to-wit: "that the provisions of this act shall not apply to property taken, injured, or destroyed by the enemy, or which has or may escape to the enemy; but this provision shall not extend to individuals who have voluntarily sold cotton to the enemy for gold or treasury notes of the United States." This proviso is to be stricken out.

3d. That the Senate recede from its amendment numbered section nine, being a tax on the profits of manufacturers, &c., over seventy-five per cent. realized by them.

The committee respectfully recommend the concurrence of the two Houses in this report.

LEWIS L. CATO,

Chairman Senate Committee.

LEVI W. LAWLER,

Chairman House Committee.

Which report was concurred in.

Mr. Chapman offered the following resolution, which was unanimously adopted :

Resolved, That the thanks of this House be, and they are hereby tendered to the Honorable Walter H. Crenshaw, for the able, dignified, and impartial manner in which he has discharged the arduous duties of Speaker of this House during the present session.

Message from the Governor by Mr. Taylor:

Mr. Speaker :

The Governor has approved the following bills, which originated in the House of Representatives, entitled:

An act to repeal an act to amend the charter of the town of Marion, in Perry county, and Montevallo, in Shelby county;

An act to authorize Richard T. Starr, and other persons therein named, to marry;

An act for the relief of persons rendered destitute by the seizure, waste, or destruction of their means of subsistence by the public enemy;

An act to authorize the construction of a branch railroad therein named;

An act for the relief of A. S. Toler, administrator, and Susan J. Pool, administratrix of R. R. Pool, deceased;

An act to extend to the probate court of Jefferson county the provisions of an act therein named, and other counties;

An act to incorporate the Selma iron works;

An act to incorporate the fast freight forwarding company.

Senate bill to perpetuate testimony in certain cases, was taken up and read twice.

Mr. Clarke moved to amend, by adding the words " captured, taken away, or destroyed by the public enemy."

Which was carried.

The bill was read a third time, and passed.

Message from the Governor by Mr. Taylor.

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, December 8, 1863. }

Gentlemen of the Senate and House of Representatives :

I have to inform you that the office of Adjutant and Inspector General of the Alabama militia is now filled by the appointment of the Governor, and will expire at the close of your present session; and to suggest the adoption of such action as your wisdom may direct.

THOS. H. WATTS,
Governor of Alabama.

Which was laid on the table.

PROTEST.

The undersigned members, believing the passage of the bill appropriating one million five hundred thousand dollars, to be at the entire disposition of John Whiting, to be detrimental to the best interest of the State, beg leave to enter this their protest, and assign the following reasons:

1st. For the first time in the history of the State it inaugurates a system of speculation by the State, which in the opinion of the undersigned is unwise and injudicious.

2d. If, under any circumstances, it were proper and fit for the State to raise money by taxation and then enter the market as a speculator in cotton, or any other commodity, the times are unpropitious, and the finances of the State are not in a condition to take such risk.

3d. The good faith and credit of the State forbids her en-

tering on such a policy, as it is calculated to impair the confidence of her people and her creditors in her financial affairs.

W. COLEMAN,
T. B. BETHEA,
JACOB MAGEE,
B. ATKINSON,
S. J. CUMMING,
J. S. CLARK,
D. B. MITCHELL,
JOSEPH C. BRADLEY.

Mr. Foster offered a resolution in favor of an increase of pay to the soldiers;

Which was adopted.

Mr. Ogbourne offered a resolution looking to an increase of pay to the privates and non-commissioned officers of the Confederate States army;

Which was adopted.

House concurred in the amendment of the Senate to the joint resolutions in relation to taxation and the currency.

Mr. Morrow, from the committee on enrolled bills, reported the following as correctly enrolled :

An act to change the time of holding the courts in 11th judicial circuit;

An act to be entitled an act to authorize the administrator of the estates of James K. Breazele and Sarah R. Breazele to remove the administration of said estates from the county of Lowndes to the county of Dallas;

To be entitled an act to repeal an act therein named relating to the county of Coffee;

To be entitled an act to repeal an act therein named;

To repeal an act entitled an act to regulate the number of jurors in Marion county;

An act to increase the capital stock of the Woodville insurance company;

An act to give jurisdiction of the estate of William Garner to the judge of probate of Bibb county;

An act for the relief of the indigent families of Baldwin county;

An act for the relief of the estate of W. P. Smith of Butler county;

An act to authorize the action of ejectment;

An act for the relief of Theophilus C. Greenhill, tax collector of Franklin county;

An act to increase the capital stock of the Selma insurance company, and the planters' and merchants' insurance company;

An act to repeal an act to authorize justices of the peace to

appoint overseers of roads, and other purposes, in the county of Coosa;

An act to amend the charter of Huntsville;

An act for the relief of E. Shiver of Dale county;

An act to regulate the courts of the middle chancery division during the existing war;

An act to amend an act in relation to the support of indigent families, approved August 29, 1863;

An act for the relief of the heirs of Catharine Baker;

An act to amend an act for the election of State printer, approved February 8, 1858;

An act for the relief of Boykin Goldsby and others;

An act to increase the pay of jurors in this State;

An act to provide for the insane convicts sent from the penitentiary to the Alabama insane hospital;

An act to prevent the impressment or purchase of property under false pretences;

An act to prevent illicit trading with slaves;

An act for the relief of William A. Rose;

An act to amend an act to incorporate the Eufaula marine and fire insurance company, approved February 9, 1861;

An act to authorize Franklin C. Pinkston to erect a gate across the Ray road in Montgomery county;

An act to authorize John S. Morange and Rufus B. Rhea to build a bridge across Big Wills creek;

An act to amend the charter of the city of Selma;

An act to amend an act in relation to the support of indigent families of soldiers, approved August 9, 1863;

An act making an appropriation for pay of members of the General Assembly;

An act to amend section 1143 of the code;

An act to authorize the destruction of mutilated treasury change note bills of the State of Alabama;

An act to provide for the State repairs of capitol;

An act for the relief of Virginia Matthews of Dallas county;

An act to incorporate the Brundrige male and female academy of Pike county;

An act for the relief of the heirs and representatives of Jno. Flood McGrew;

Joint resolutions donating a section of land and medal to Miss Emma Sansom, of Cherokee county, in consideration of public services rendered by her;

An act to remove the settlement of guardianship of Julius C. Alford, deceased, late guardian of Julius S. Alford, from the probate court of Pike to the probate court of Montgomery county;

An act to attach the road leading from the eastern boundary of Adams street, in the city of Montgomery, to the line creek road;

An act to authorize the commissioners' court of Dale county to pay a certain claim;

An act to amend an act in relation to the support of indigent families, approved August 29, 1863;

An act to amend the charter of the Eufaula home insurance company;

An act to repeal a certain local act of Cherokee county therein named;

An act for the relief of certain government contractors;

To authorize the judge of probate of Lowndes county to record a certain paper;

An act to regulate the number and pay of grand and petit jurors in the county of Walker;

An act for the relief of the heirs of Hardy Abney, dec'd;

An act for the relief of Duncan Finley of the county of Pike;

Joint resolutions to secure a passage of a law exempting certain persons from payment of Confederate tax in kind;

An act for the protection of artesian salt wells in this State;

An act to increase the pay of county officers in Clarke county;

An act for the relief of Jno. Mosely, tax collector of Dallas county;

An act to amend an act entitled an act to re-organize the militia of the State of Alabama, approved August 29, 1863;

An act to authorize the redemption of lands of alien enemies, sequestered to the Confederate States, which have been or may be sold for taxes;

An act to authorize overseers of roads to serve process in certain cases, and for other purposes;

An act to amend the act in relation to the support of indigent families of soldiers, &c., approved August 29, 1863;

An act to change the times of holding the circuit courts in the 8th judicial circuit;

An act to incorporate the factors' and grocers' marine and fire insurance company of Mobile;

An act to prevent gaming in this State;

An act where real estate of soldiers is sold for taxes to extend the time for the redemption of the same;

An act to regulate the elections of commissioners of roads and revenue in the county of Marion;

To provide for the appointment of overseers of roads in cer-

tain cases, and amendatory of section 1142 of the code of Alabama;

An act to authorize the court of county commissioners of Walker county to levy a tax for county purposes;

An act to repeal an act imposing restrictions on the city council of Montgomery, and for other purposes, approved 13th January, 1846;

An act to repeal an act approved November 9, 1861;

An act for the relief of the poor of Mobile county;

An act for the relief of Stephen Gibson of Lawrence county;

An act for the relief of James M. Calhoun;

An act to enable the treasurer of the county of Calhoun to pay surplus funds in his hands to purposes therein named;

An act to divide the county of Tuscaloosa into four county commissioners' districts;

An act amendatory of an act to incorporate the city of Montgomery, approved December 23, 1837;

An act for the relief of those counties which are or shall be overrun by the public enemy;

An act to increase the *per diem* of commissioners, tax collectors, and tax assessors of Clarke, Choctaw, and Tuscaloosa counties;

An act to incorporate the central city insurance company;

An act to amend sections 430, 431, and 432 of the code, as to Shelby county;

An act to amend section 1203 of the code;

An act to incorporate the Dallas oil works;

An act to regulate the time of holding the chancery courts of the northern chancery division;

An act for the relief of Lewis Anderson;

An act for the relief of L. R. Davis;

An act to provide compensation of probate judges in certain cases;

An act to preserve property of non-residents;

An act to repeal section 3948 of the code;

An act to amend an act to incorporate the Girard railroad company, approved the 21st January, 1846;

An act to enable married women the more effectually to recover property secured to them by the code;

An act for the relief of Ovid Mazange;

An act to pay for the hire of servants for the present session of the General Assembly;

Joint resolutions in testimony of the wisdom and patriotism of John Gill Shorter, Governor of the State of Alabama;

An act to repeal and amend an act entitled an act to increase the price of certain public lands;

An act to grant further powers to the corporate authorities of Mobile;

An act for the relief of James P. Boggan, jr., tax collector of Butler county;

An act to confer jurisdiction upon the probate court of Butler county over the estate of George N. Lewis;

An act to repeal an act to compensate jurors and witnesses in Monroe county, approved January 5, 1848;

An act for the relief of Robert Z. Barlow, the tax collector and tax assessor of Baldwin county;

An act to increase the fees of witnesses in this State;

An act to repeal a local law therein named in Jefferson county;

An act to exempt certain persons therein named from military duty in the provisional army of the Confederate States;

An act for the relief of Charles Irby Mitchell;

An act to better regulate the fees of the judges of the probate courts of Greene, Marengo, and Choctaw counties;

An act for the relief of Thomas Kelly;

An act for the relief of Algernon A. Henderson, a minor;

An act for the relief of the tax collector of Calhoun county;

An act for the relief of Mrs. Jane Kirk of Macon county;

An act to increase the fees now allowed by law for apprehending and committing to jail runaway slaves;

An act for the distribution of the educational fund;

An act to amend section 3301 of the code;

An act to secure the trial of slaves under indictment;

An act for the relief of A. S. Toler, administrator, and Susan J. Pool, administratrix of R. R. Pool, deceased;

An act to provide for the military defense of the State of Alabama;

An act for the relief of Samuel A. Fitts, administrator, &c.;

An act to increase the fees of judges of probate and other public officers of this State;

An act to authorize the county commissioners of Mobile county to increase the salary of the judge of the city court of Mobile;

An act to authorize M. L. Davis and D. W. Hollis to draw certain funds for the relief of indigent families in Marion county, and for other purposes;

An act to give the Governor power in certain cases;

An act to authorize Richard T. Starr, and other persons therein named, to marry;

An act to pay the expenses of the inauguration of his Excellency Thomas H. Watts;

An act to amend an act to incorporate the city of **Montgomery**;

Joint resolutions in relation to the services of Gen'l Joseph E. Johnston;

An act to amend an act entitled an act to render more efficient the system of public schools in the State of Alabama, so far as relates to Sumter county;

An act for the relief of Thomas W. Hines;

Joint resolutions directing the commissioner of public lands to withhold patents in certain cases.

An act for the relief of Wiley Glover of Calhoun county;

An act to incorporate the Selma iron works;

Joint memorial to the War Department for the relief of the 26th regiment of Alabama volunteers;

An act to extend to the probate court of Jefferson county the provisions of an act therein named, and to other counties;

An act for the relief of persons rendered destitute by the seizure, waste, or destruction of their means of subsistence by the public enemy.

An act to repeal an act to amend the charters of the towns of Marion, in Perry county, and Montevallo, in Shelby county;

An act to incorporate the fast freight forwarding company;

An act to continue the office of commissioner and trustee, and to provide for the payment of the foreign debt of the State;

An act to increase the fees of jailors;

An act for the benefit of the military aid society of Mobile, and for other societies therein named;

An act for the relief of H. P. Watson;

An act to require railroad companies to keep lights and water in their trains;

To fix the fees of solicitors in certain cases;

An act for the relief of William S. Knox of Dallas county;

An act for the relief of T. B. Bethea of Montgomery county;

An act for the protection of attorneys, agents, and other officers in this State;

Joint resolutions to exempt from the payment of the tax in kind the families of soldiers whose support is derived from white labor alone;

An act to authorize the judge of the sixth judicial circuit to fix the place of holding the circuit court of Baldwin county;

An act for the relief of Edward P. Holcombe of Lowndes county;

An act for the relief of Sedwine Dolive and Alexander Dolive of Baldwin county;

An act for the relief of the poor of Cherokee county;

An act for the relief of N. Y. Alston;

An act to amend an act to contribute to the support of the families of soldiers in the military service from the State of Alabama, approved 29th August, 1863;

An act for the relief of the heirs of Cornelia Steele, dec'd;

An act to incorporate the Cahaba iron and coal mining company;

An act to amend section 3536 of the code;

An act to increase the duties of overseers of public roads and to prevent parties from joining fences to public bridges.

An act for the relief of the families of soldiers who have died in the military service of the Confederate States;

An act to contribute to the support of the indigent families of soldiers in the military service from the State of Alabama.

House took a recess till 7, p. m.

NIGHT SESSION.

House met at 7, p. m.

Message from the Senate by Mr. Taul.

Mr. Speaker:

The Senate refuses to concur in the House amendment to the bill to authorize one or more commissioners to perpetuate testimony in certain cases.

The Senate has passed the House bill to repeal an act to regulate the fees of probate judges in Greene, Marengo, and Choctaw counties.

The Senate concurs in report of committee of conference on the bill to amend the revenue laws of this State.

House refused to recede from its amendment to the bill to authorize commissioners to perpetuate testimony in certain cases.

Mr. Chapman offered the following resolution, which was adopted:

Resolved, That this House, with the concurrence of the Senate, will adjourn *sine die*, at 9 o'clock, to-night.

Mr. Foster offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed, to act with a like committee of the Senate, to inform the Governor that we are about to finish the business of this session, and will be ready to adjourn *sine die* to-night, at nine o'clock.

Senate bill to authorize the issue and sale of State bonds, was taken from the table, amended by striking out the third section, read a third time, and passed.

Message from the Senate by Mr. Taul.

Mr. Speaker:

The Senate concurs in the amendment of the House to the bill to provide for the issue and sale of State bonds, and for other purposes.

Senate concurs in the resolution of the House to appoint a committee of three to wait on the Governor and inform him that the two Houses, having finished the business before them, are now ready to adjourn *sine die*, unless he has some further communication to make. Messrs. Harrison, Ligon, and Cato, are the committee on the part of the Senate.

Message from the Governor by Mr. Taylor:

Mr. Speaker:

The Governor has approved the following acts, which originated in the House of Representatives:

An act for the relief of William S. Knox of Dallas county;

An act for the protection of attorneys, agents, and other officers within this State;

An act to require railroad companies to keep lights and water in their trains;

An act to increase the fees of jailors;

An act for the relief of T. B. Bethea of Montgomery county;

An act for the benefit of the military aid society of Mobile, and for other societies therein named;

An act for the relief of H. P. Watson;

An act to provide for the maintenance of civil authority and the preservation of law and order within the limits of this State;

An act for the relief of the heirs of Cornelia Steele, dec'd;

An act to make appropriations for the fiscal year ending 30th September, 1864;

An act to contribute to the support of the indigent families of soldiers in the military service from the State of Alabama;

An act for the relief of the families of soldiers who have died in the military service of the Confederate States;

An act for the relief of Samuel A. Fitts, administrator of Wm. Fitts, deceased;

An act to increase the duties of overseers of public roads, and to prevent parties from joining fences to public bridges;

An act to increase the fees of commissioners and judges in Chambers county;

An act for the relief of the estate of O. Mazange;

An act to continue the office of commissioner and trustee, and for the payment of the foreign debt of this State;

Also, joint resolution in relation to taxation and the Confederate currency;

An act to repeal in part an act to regulate the fees of probate judges in Greene, Marengo, and Choctaw counties;

An act to incorporate the Cahaba iron and coal mining company;

An act to amend an act entitled an act to render more efficient the system of public schools in the State of Alabama, so far as relates to Sumter county;

An act to amend the revenue laws of this State.

With message as to the last mentioned act.

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, December 8, 1863. }

TO HON. W. H. CRENSHAW,

Speaker of the House of Representatives.

Sir :—I have approved the bill to amend the revenue laws of the State, but I desire to express my opposition to the first section of said bill. I do not believe that the legislature of any State has the right to tax the stocks of the Confederate States. I believe it is bad policy to tax the stocks of the State of Alabama. If this section had been the only one in the bill I should have withheld my approval entirely. But the other portions of the bill are of such vital importance to the State, I could not, without doing incalculable injury, withhold my approval to the bill as a whole, at this hour just at the close of the session.

THOS. H. WATTS,
Governor of Alabama.

Mr. Foster, from the committee to wait upon the Governor, reported that the committee had waited on his Excellency, who informed them that he had no further communication to make to the General Assembly.

At the hour of 9 o'clock, p. m., Mr. Speaker Crenshaw arose in his seat, and said :

Gentlemen of the House of Representatives :

The time for our separation is at hand. But before bidding you adieu, let me congratulate you upon the harmony that has prevailed in our deliberations. Legislating as we have been in the midst of a war unequalled in the history of the past, we have been compelled to enter somewhat into the untried fields of experiment in our legislation ; and hence it is not surprising that differences of opinion should be entertained among us. But engaged as we were in a struggle that required our united efforts to carry us through to a successful termination, we have cheerfully yielded our differences of opinion. Then as so much harmony and unanimity have prevailed in our

councils here, let us infuse the same spirit into our constituents, and gain their approval of what has been done by us as their Representatives. Let us frown upon all efforts made by designing men to create discontent among the people. If we have grievances to redress, or complaints to make against the legislation of the country, let us magnanimously postpone such trivial things until our bleeding country, by the united efforts of all her noble sons, shall be extricated from her fallen position, and shall have assumed her station as an equal power among the nations of the earth, unquestioned by any. What member on this floor, or what constituency in this State, can be so lost to all sense of patriotism, as to wrangle over this or that measure of legislation, when by wrangling it may soon be a question whether we will have a country that we can call our own to legislate for? I take it for granted that there are none on this floor, who would willingly submit to the power of the Northern despotism. Then if we are in earnest in our determination to make this great revolution successful, if we are resolved that the blood of our sons and brothers that have already fallen in this contest, shall not be spilled in vain, we must forget all our past differences, and as a band of brothers advance to the breach, and contribute all in our power to promote the success of the glorious cause. Let every one do this, and when we meet here next fall, the dark cloud of war will have been rolled back, and our independence will have been acknowledged.

There is a principle in human nature which causes us to love the approbation of our fellow-men. I am free to confess that I am not insensible to its influence; and hence the resolution which you adopted to-day is gratifying, for it assures me that my intention to do right has secured your approbation, however much I may have fallen short of your expectation. For this manifestation of your esteem I thank you most sincerely. I regret though that my health has prevented me from discharging my duties as I could have wished, and as you had a right to expect.

And now, gentlemen, I bid you all an affectionate farewell. May you have the satisfaction of enjoying the society of your families and friends at home, in peace, quiet, and comfort. And eleven months hence may you all be permitted to return to this hall to legislate for your constituents with the serene atmosphere of peace and plenty around you.

I now pronounce this House adjourned *sine die*.

WALTER H. CRENSHAW.

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